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All letters intended for publication must be authenticated by the name of the writer.

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## Current Topics.

### Local Law Societies.

WE ARE glad to hear that the Leeds Meeting was well attended and that both on the business and social sides it was very successful. It produced also the important announcement from Sir CLAUD SCHUSTER that the Lord Chancellor is preparing Bills for the consolidation of the Judicature Acts and for equalizing the Crown and private litigants in regard to procedure. We refer in another column to the observations made by the President on the desirability of every solicitor being a member of the Law Society. The figures which show how far this fails of being realized were given by Mr. S. E. BUTCHER, of Bury, in the paper which he read on "The Organization of the Profession," but his purpose was rather to encourage the feeling of comradeship among solicitors by the extension of local Law Societies, and he urged as a further step that, where these are small in membership, a number of them should be federated with a larger neighbouring Society, so as to receive a share in representation on the Council of the Law Society, or in any event, at the meetings of the Associated Provincial Law Societies. That plan, it appears, has been adopted by the Manchester Law Society, which has six societies federated with it, of which the Bury Society is one. This Society was started over thirty years ago, and Mr. BUTCHER gives an interesting account of the work which it has done and the good effect its formation has had on the relations of solicitors in Bury and the surrounding district. Incidentally, it has led to the addition of members to the Law Society, so that now nearly all the members are members of the Law Society, and a considerable proportion of them are also subscribers to the Solicitors' Benevolent Association. Details of local history of this kind are interesting, and the paper should prove an incentive to similar organization and work in other counties besides Lancashire.

### The Future of Rent Restriction.

THE PAPER by Sir KINGSLEY WOOD read at the Leeds Meeting on the Rent Restrictions Act contained, as we anticipated last week, useful suggestions as to the course which any amending legislation should take, though the feeling of the members present—or at any rate of most—was in favour of ending rather than mending. The true solution of the housing difficulty is, as Sir KINGSLEY pointed out at the end of his paper, more houses—"the ample provision of housing accommodation for the varying needs of all classes of the community"—and in considering how this was to be obtained, he was emphatic in the encouragement of private enterprise as opposed to State-aided schemes. "In the interests of ample housing accommodation we should uphold the policy of encouraging private enterprise, and all steps that

will speedily bring about the restoration of normal conditions." This object, however, cannot be immediately attained, and meanwhile it will have to be determined in what form the Act is to be continued. That its scope should be curtailed so as to bring within its protection only the £35 houses in London and £26 elsewhere were within the original Act of 1915, cannot, of course, be admitted. The extension of the Acts to houses up to £105 and £78 was a tardy recognition that protection was not required only by the working classes, and we believe the position has not been materially altered. But the operation of the Act may properly be restricted so as, in accordance with Sir KINGSLEY WOOD's suggestions, to afford protection to *bond fide* occupiers only, and any sub-lettings at a profit should entitle the owner to a share in the profit. He also called for a more effective remedy for dealing with the imposition of extortionate premiums, and there are decisions of the Courts which require to be overruled or modified; in particular *Nye v. Davis* (1922, 2 K.B. 56), as to the nature of the "attendance" which will put a flat outside the Act, and those which have adopted the literal meaning of the Act that termination of the tenancy by the expiry of a notice to quit is an essential condition for a permitted increase of rent: see *Hill v. Hasler* (1921, 3 K.B. 643); *Newell v. Crayford Cottage Society* (1922, 1 K.B. 656).

### The Departmental Management of Trusts.

THE PAPER ON "The Public Trustee" which Mr. REGINALD ARMSTRONG read at the Leeds meeting usefully continues the discussion which has arisen as to the proper scope of that official. The reasons for the establishment of the department are well known. Primarily, it was the desire to obtain security for trust funds, and there was also the difficulty which was frequently experienced of obtaining suitable persons to act as private trustees. In order that the first object should be obtained without interfering more than was necessary in the management of trusts, the Public Trustee Act, 1906, provided that the Public Trustee might act as Custodian Trustee only; but this restricted function is, Mr. ARMSTRONG says, admittedly cold-shouldered by the department, and certainly very little use has been made of it. It has, however, become clear from recent experience that, useful as the department has proved to be, it is not the only way of supplying at once security and a business trustee, and the same work is being done by banks and insurance offices. We have ourselves pointed out that in this direction lies the proper alternative, and Mr. ARMSTRONG takes the same view so far as regards the cost of administration. In his opinion, the Public Trustee cannot live against the corporations with their very much lower fees, though naturally he still prefers the "management of a trust by a first-class competent private trustee and his solicitor." That, of course, is quite right, and the majority of trusts are still administered in this way. But many testators and settlors prefer departmental management, and for these the real choice is between the Public Trustee and a corporation. There are strong practical reasons in favour of the latter. The security, says Mr. ARMSTRONG is as good; the services are or could be made as good or better; and they have the advantage of being already established of the purpose in every locality where business could be obtained. Moreover, the Law of Property Act will encourage their appointment in cases where a sale depends on the receipt of the purchase money by a "trust corporation." We pointed out when the Bill was under discussion that a statutory power of charging should be conferred upon them, but this has not yet been done, and we are a little surprised that the banks and insurance companies have not yet obtained such powers.

### Attendance and Service Flats.

WE HOPE at an early date to consider more fully the rapidly accumulating decisions on the meaning of "attendance" for purposes of the Rent Restriction Act, but here we think it desirable to call the practitioner's attention to the most recent case on the point in the High Court, that of *King v. Mullen*

(1922, W.N. 263). The landlord let a flat "together with use [jointly with other tenants of the premises] of the main entrance door, hall, and staircase of the premises" for three years, at a rent of £140; and the landlord agreed to "keep the hall and staircase properly cleaned." The rateable value being £105, the premises were within the Rent Restriction Act, and the question in issue was whether or not the payment for rent included payment for "attendance," so as to take the premises out of the Act, as provided in s. 12 (2) (i) of the statute. The County Court judge followed *Nye v. Davis* (1922, 2 K.B. 56), which indeed is practically on all fours with this case. The Divisional Court, however, distinguished that case and found in favour of the tenant. They did so on the very ingenious ground that the hall and staircase were not demised to the tenant, so that cleaning them was not "attendance" rendered to the flat itself. This seems sound enough, but surely the carrying up of coals by a porter, which was the main test relied on in *Nye v. Davis* to found "attendance" on, is likewise not the rendering of attendance to the flat itself. It is obvious, however, that the Divisional Court has got tied up in knots as the result of the various conflicting decisions now in existence, and the opinion of the Court of Appeal is obviously needed, pending statutory re-definition of the position under the expected amending Act.

### Practice in Foreign Plaintiffs' Security for Costs.

AMONG THE minor matters of practice decided by the Court of Appeal last term was one arising out of an appeal from Mr. Justice ROWLAT: *Comitato, &c., de Genova v. Instone & Co.* (1922, W.N. 260). The plaintiffs were foreigners resident out of the jurisdiction; therefore they had been required to lodge in court as security for costs the sum of £200. At the trial they recovered judgment against the defendants, and not unnaturally applied for an order for the payment out to them of the sum thus secured. The judge, however, refused to make any such order, since an appeal against his judgment was pending. The defendants appealed against the substantive judgment, and the plaintiffs appealed against the interlocutory order refusing repayment of the security. The two appeals came before different divisions of the Court of Appeal; why this inconvenient course should have been adopted in arranging the lists we cannot say, unless it followed from the ordinary routine in dealing with final and interlocutory lists separately. Even then we should have expected a transfer of the cross-interlocutory appeal to the final appeal list. However that may be, the final appeal was heard first, and judgment was reserved. The interlocutory appeal concerning costs was then heard by the other division, which had no hesitation in directing the money to be paid out to the plaintiffs. This seems obvious common sense, since there is no reason why a successful party should be penalized because he is a foreigner by being made to give security for his unsuccessful opponent's appeal. In fact, Lord STERNDALÉ so decided in *The Bernisse* (1920, P. 1), where an action for foreign shipowners against the Crown had resulted in favour of the plaintiffs in the Admiralty Division; Lord STERNDALÉ granted a stay of execution pending appeal by the Crown, but nevertheless directed that the plaintiffs should have their security paid out. "The effect of ordering the money to remain in court," he said, "would be to give the defendants one or other of two things—either security for the costs of their own appeal, or security for the satisfaction of the judgment which may be given on appeal, and they are not entitled to either." A contrary view had been taken by Mr. Justice NORTH in an older case, *Badische Anilin v. Johnson* (1897, 2 Ch. 322); but the Court of Appeal have now definitely disapproved of that decision and approved the view of Lord STERNDALÉ just quoted. It can hardly be doubted that this is correct.

### Execution and Bankruptcy.

ANOTHER SHORT point of practice which ought to be noted arose in *Re Fairley* (1922, W.N. 263), a bankruptcy case on appeal from the Birmingham County Court. The appellants had

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obtained judgment against FAIRLEY for £144. They lodged with the sheriff a writ of *fi. fa.* The sheriff levied on the debtor's goods but withdrew by arrangement, after having received £72 on account of the debt in addition to costs, fees, and possession money; he reserved a right to re-enter for the balance of £72. Two months later he made a second levy, and again withdrew on payment of £53 in addition to costs, reserving a right of re-entry for the balance of £19. A month later he made a third levy, but was met with a claim by a third party as regards the goods seized on this third occasion; and on interpleader the claimant succeeded. The sheriff then withdrew altogether and filed a return of *nulla bona*. Somewhat later the debtor was proceeded against by petition in bankruptcy, founded on a different act of bankruptcy, and was in due course adjudicated bankrupt. Thereupon the Official Receiver in the bankruptcy, which was conducted in the Birmingham County Court, claimed from the appellants the sums of £72 and £53 received from the sheriff on the somewhat remarkable ground that the execution had never been completed by seizure and sale within the meaning of s. 40 of the Bankruptcy Act, 1914. What is perhaps more extraordinary, the County Court judge upheld this contention on the ground that a return of "*nulla bona*" did not complete the seizure. It is scarcely necessary to say that the Divisional Court, ASTBURY and P. O. LAWRENCE, JJ., were not impressed by this reasoning and held that there had been "completion" of the execution. They distinguished *Re Godding* (1914, 2 K.B. 70), and applied a decision of Mr. Justice CHANNELL, *Re Ford* (1900, 1 Q.B. 264, 268), where that learned judge had laid down as the test of final completion of an execution the resort by the sheriff to the only possible method available to complete it. The creditors' claim to retain the moneys seized was therefore allowed.

#### Ratification which confers Jurisdiction.

THE FAMOUS MAXIM *Boni Judicis est ampliare jurisdictionem suam* would seem to have governed the decision of the Court of Appeal in the important practice case of *National Mortgage and Agency Company of New Zealand, Limited v. Gorsein and Another* (38 Times L.R., 832). Ord. 11, r. 1(e), extends the jurisdiction of our courts in the case of contracts made with a defendant residing entirely out of the jurisdiction to the case where terms of a contract have been arranged through an agent within the jurisdiction on behalf of a principal trading or residing out of the jurisdiction. No difficulty arises where a contract is made in the ordinary way by such an agent who has authority so to bind his principal. But suppose, as happened in the present case, that a person, who has no authority to enter into contracts for a corporation resident abroad, proceeds to negotiate a bargain between a party within the jurisdiction and such non-resident corporation, with the result that the latter ultimately take up the matter themselves and enter into a contract abroad, not through their agent here? Of course, if the foreign principal had ratified abroad a contract made here, without authority, but by an agent purporting to act on his behalf, there would be no difficulty—the ratification would validate the agency and authorize his act. But no ratification, in any normal sense of that term, occurs when the principal takes over the negotiations and finally fixes up a contract himself; the agent, in such a case is merely an "introducer" of the business, not a maker of the contract. He is entitled to commission on a *quantum meruit* basis, of course, but that does not amount to ratification of his act. The court, however, gave to the phrase in the Rule, "through an agent," a wider sense than that of "by virtue of an agency," and held that it includes cases where the agent merely introduces the business.

The Court of Appeal, says the Central News, in a message from Vienna of 23rd September, has decided that a married woman is not obliged to live with her husband if his mother insists on living with the couple. The woman in question left her home when the mother-in-law arrived, and the husband sued her for desertion. The husband won the case, but lost it on appeal, when it was decided that the woman had the full right to leave "for the sake of matrimonial peace, without regard to the question whether the mother-in-law was quarrelsome."

## The President's Address.

THE address delivered by Mr. A. COPSON PEAKE at Leeds as President of the Law Society was interesting and practical. If it did not in itself give any very definite indication as to the future, it emphasized a number of points of present-day importance. The question of the increase in the membership of the Law Society is one which may be expected to recur annually until in course of time every solicitor is *ipso facto* a member. But the "*ipso facto*" carries with it the liability to an annual subscription, and since solicitors pay a heavy annual tax to the State, as well as a subscription to the local Law Society, there is an intelligible reluctance to increase the burden. Mr. COPSON PEAKE says that the Wakefield Law Society used to fix its subscription so as to include the subscription to the parent society, and thereby secure that all their members were also members of the Law Society. He does not say whether this is still the practice, but in any case it is only an indirect way of doing what should be done directly. The times are not propitious for obtaining any concession from the State, and there is no prospect of any early improvement in that respect; but, as we have suggested, the Law Society should ultimately include all solicitors, and it may become possible to assess the pecuniary burden on this footing. Meanwhile it is to be hoped that Mr. COPSON PEAKE will see the fulfilment of his desire that the membership may be increased to over 10,000 during his year of office.

We had hoped that the President, with his long experience of conveyancing, and in particular of conveyancing with the assistance of the Yorkshire Registries, would have given some indication as to what, in the view of country practitioners, is likely to be the effect of the Law of Property Act, but he did not go beyond the customary generalities. "Lord Chancellors and law reformers have during the last half-century done what they could to improve the conveyancing system; but Lord Chancellor BIRKENHEAD will go down to posterity as the Lord Chancellor who actually carried this object into effect." In the sense that the Lord Chancellor supplied in Parliament the motive power which enabled the Bill to be passed, and displayed in dealing with a difficult and, possibly, unfamiliar subject the ability which we all know that he possesses, this is true enough; but we must, not for the first time, demur to the suggestion that the measure is, in its substance, due to Lord BIRKENHEAD, nor, we imagine, would he himself claim any such credit. To a large extent the Act is due to attempts made through the last thirty years to effect further improvement in a system which had been already extensively improved in 1881 and 1882, and the real authorship of the Bill in its present form is well known to the profession, and, indeed, is recognised in Mr. COPSON PEAKE's address.

The Act, says Mr. COPSON PEAKE, will abolish an antiquated and cumbrous system of conveyancing, which has for long years been admittedly out of date. But he at once adds that it introduces no fundamental amendments of the law, with certain exceptions which he specifies. Possibly this is not quite consistent, for an "antiquated and cumbrous system of conveyancing" could hardly be changed (if such is the case) without fundamental amendments of the law. Probably, however, the change will be much less than these words indicate, and with certain simplifications in some directions, and highly technical subtleties in others—as in mortgages by demise—conveyancing will go on in the future very much as in the past. There are difficulties due to the nature of real property and to the arrangements which contracting parties desire to make, which are quite independent of any particular mode of transfer, whether privately or on a register, and these will be in no way diminished.

As regards Grand Juries, Mr. COPSON PEAKE voiced current opinion in saying that the days when they may have had their value are gone, and the re-arrangement of circuits is a matter that has waited too long. It appears that Mr. Justice RIGBY SWIFT's Committee has hitherto only held preliminary meetings, and that the real business will not commence till after the Vacation. Mr. COPSON PEAKE summarizes the legislation which

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has produced the alterations and ameliorations which have so far been effected, but he forbears—and as a member of the Committee no doubt judiciously—from indicating the further re-arrangement which is required. The Solicitors Act which has just been passed gave the occasion for some important observations on the educational work of the Law Society, and Mr. COPSON PEAKE recognized, with others interested in legal education both here and in the United States, that “besides the actual legal training there is a moral side, and in all Law Schools, high rectitude of conduct and integrity in our Profession should be thoroughly taught—Law should be the unity of those ethical standards which are but the attribute of righteousness.” We are glad that the President of the Law Society does not leave all the idealism of the law to Lord SHAW and Lord CLYDE. And he could hardly omit to notice the approaching entry of women into the Profession. But why is the reference always to PORTIA? No doubt, as Mr. COPSON PEAKE says, PORTIAS will be few and far between. But what about SALLY BRASS! Not indeed a regular member of the Profession, but as her brother, Mr. SAMPSON BRASS, of Bevis Marks, said in introducing her to a fellow practitioner, “quite one of us, sir, although of the weaker sex—of great use in my business, sir, I assure you.” We do not hold up either SAMPSON or Miss SALLY as examples to be copied—in fact, it will be remembered, the former was struck off the roll—but it may be found that DICKENS has provided better than SHAKESPEARE for the participation by women in what Mr. COPSON PEAKE calls the rough and tumble life and work of the ordinary solicitor. That women will ever form a considerable part of the Profession we do not anticipate; that some women will prove themselves a match in business for the mere man we are very much inclined to believe.

## The Law of Property Act, 1922.

### XII.

#### VENDOR AND PURCHASER.

*Title to be shewn to Legal Estates.*—The greater part of the previous articles have been concerned with the practice on sales of land, but there are certain provisions which specifically regulate this practice and may conveniently be placed under a separate heading. These are ss. 5, 7 and 8, the first of which is as follows:—

5. (1) Where title is shown to a legal estate in land, it shall be deemed not necessary or proper to include in the abstract of title an instrument relating only to interests or powers which will be over-reached by the conveyance of the land to which title is being shown; but nothing in this Part of this Act shall affect the liability of any person to disclose an equitable interest or power which will not be so over-reached, or to furnish an abstract of any instrument creating or affecting the same.

(2) A solicitor delivering an abstract framed in accordance with this Act shall not incur any liability on account of an omission to include therein an instrument which, under this section, is to be deemed not necessary or proper to be included, nor shall any liability be implied by reason of the inclusion of any such instrument.

And it should be noted that s. 27 provides that abstracts of title framed in accordance with the provisions of the Act are contained in Sched. VIII, while Sched. IX contains examples of instruments similarly framed.

A little consideration will show that the first sub-section is no more than a declaration of existing conveyancing practice, and that the second is inserted merely as a precaution. In fact both are unnecessary, and we suggest that the operation of the Act and of the new system of conveyancing would have been exactly the same if the section had been omitted. An “abstract framed in accordance with this Act” is simply such an abstract as ought to be delivered having regard to the increased facilities given by the Act for overriding equitable interests, and a solicitor requires no protection for delivering such an abstract. Hence, while s-s. (2) does no harm, it has really no operation. It was probably introduced simply as an encouragement to solicitors to effect such shortening of abstracts as is rendered possible by the Act.

And s-s. (1) suggests the obvious remark that it is not now and never has been necessary or proper to include in the abstract instruments relating only to interests which will be overridden. Thus, when a mortgagee is selling under his power of sale, no title is shewn to the equity of redemption; when a trustee is selling under a trust for sale, no title is shewn to the beneficial interests; when a tenant for life is selling under his statutory power, no limitations are abstracted subsequent to the life estate. As regards sale by a mortgagee, the law will remain unaltered save so far, of course, as it is not affected by the substitution of mortgages by demise for mortgages of the fee simple. As regards sale by a trustee for sale, the law in principle will remain the same, though in practice it will be altered to some extent by the superior efficacy given to trusts for sale by, and the facility for creating trusts for sale *ad hoc*, under s. 3 (3) (i), (iii). As regards sale by a tenant for life under his statutory power, too, although in principle the effect of the sale remains the same, yet conveyancing practice will be modified, not only by the extended powers of overriding other interests under the settlement and the creation of settlements *ad hoc* (see s. 3 (3) (ii) and s. 53 (2)), but even more by the new provisions in Sched. V for effecting a settlement by means of two instruments, namely, a vesting instrument and a trust deed, with the former of which alone will a purchaser be concerned. This, indeed, will probably be found to be the most effectual provision of the Act in regard to the shortening of abstracts. At the present time on a sale of settled land a great part of the abstract is occupied with the details of the settlement; but under the new system this will become unnecessary, and all that will require to be abstracted will be the vesting instrument shewing who is (in equity) the tenant for life in whom the legal fee is vested, and who are the Settled Land Act trustees. In other respects, no doubt, abstracts will be shortened: e.g., in respect of undivided shares. But we think it will be found that the chief gain in brevity will be the removal from the abstract of the details of settlements. But, as we have said, s. 5 is only declaratory. It does no more than say, somewhat needlessly, that those who prepare abstracts of title need have no hesitation in adapting them to the changes in the law which the Act makes.

*Provisions as to Contracts.*—A number of provisions as to contracts are contained in s. 7, but in the main they only emphasize one of the main purposes of the Act, which is to increase as regards power of sale the efficacy of settlements and trusts for sale, and in practice they will not be found, we imagine, to be of any great importance. Thus, under s-s. (1):—

Where title can be made to a legal estate under the powers conferred by the Settled Land Acts (as extended by this Act) available to bind an equitable interest or power in or over the land without an application to the court, then a purchaser shall, notwithstanding any stipulation to the contrary, be entitled to require that title be made under such powers without the concurrence of the person entitled to the equitable interest or in whom the equitable power is vested.

But this is just the practice which the vendor would adopt. It is the purchaser who might possibly ask for the concurrence of a beneficiary, and the sub-section only makes sure that a sale under the extended statutory powers shall have the efficacy in transferring the legal estate free from equities which it is intended to have. We need not refer in detail to s-s. (2). By Sched. I, Part I, provision is made for the automatic getting in of outstanding legal estates, and the first part of this sub-section enacts that a stipulation that a purchaser shall at his own expense get in such an estate shall be void. This renders void what is a common clause in conditions of sale, but, having regard to Sched. I, it becomes unnecessary, and would naturally be dropped. If the schedule works properly, the outstanding legal estate falls in without expense to anyone. Whether the schedule will work properly depends on technical considerations which we need not at present follow up. Under the second part of s-s. (2) the vendor of an equitable interest, if he has control of the legal estate, must vest that also in the purchaser. And s-s. (3) has further provisions intended to make sure that title shall be made, where this is

practicable, either under the Settled Land Acts, or under a trust for sale. Thus para. (c) avoids :—

"A stipulation that a purchaser, where the land is subject to a trust for sale, shall accept a title otherwise than under the trust for sale or under the powers conferred on the trustees for sale."

**Rights protected by Registration.**—All the above, as well as other provisions of s. 7, which we need not quote, are intended, as we have said, to make sure that trusts for sale and the statutory powers under settlements shall have their full intended effect. We have already (*ante*, pp. 749, 758) described the increased scope which is given to the registration of land charges under the Land Charges Act, 1888, and we have pointed out that on every sale it will be necessary to search in the registers kept under that Act at the Land Registry Office and in the local municipal registers. And if, when that search is made, any incumbrance is found, then it must be removed or the incumbrancer's concurrence obtained at the expense of the vendor. Thus :—

8. Where a purchaser of a legal estate is entitled to acquire the same discharged from an equitable interest which is protected by registration as a land charge or under the Land Charges Registration and Searches Act, 1888 (as amended), and which will not be overreached on the conveyance to him, he may notwithstanding any stipulation to the contrary, require—

- (a) the registration to be cancelled free of expense to him; or
- (b) that the person entitled to the equitable interest shall concur in the conveyance free of expense to the purchaser.

This completes the scheme for enabling the purchaser of a legal estate to obtain a clear title, and we can conveniently conclude at this point our survey of some of the leading features of the Act. There is much that we have only slightly touched on, much that we have not touched on at all. It has not been within the scope of these articles to consider the numerous amendments of detail made in the Settled Land Acts, the Conveyancing Acts, and the Trustee Acts; the provisions for the abolition of copyhold tenure; the amendment of the law of intestacy; the re-enactment with amendments of Part I of the Land Transfer Act, 1897; and the amendments of the Land Transfer Acts, 1875 and 1897. As occasion serves we hope to cover the whole field, but for the present it is sufficient to have attempted an exposition of the main principles on which the new conveyancing will be founded. If at the same time we have shewn that fundamentally it will not be very different from the present system, and that practitioners can face the future without anxiety that the experience of years will suddenly become useless, that also may be of service. We had, indeed, intended to discuss the effect of the Act on the Middlesex and Yorkshire Registries (see s. 6 and Sched. II, s. 8 (4)); but this, too, we must reserve for future treatment.

(Concluded.)

## Reviews.

### Legal Novels.

**THE MASTER OF MAN.** The Story of a Sin. By HALL CAINE. William Heinemann.

**THE OLD ADAM.** A Pre-war Story. By Captain HOLMES. Arthur H. Stockwell.

**LESTER GRAYLING, K.C.** Some Records and Exploits. By LESLIE J. LYNWOOD. John Bale, Sons & Danielsson, Ltd.

**ONE HUNDRED LEGAL NOVELS.** By JOHN H. WIGMORE. Massachusetts Law Quarterly, May, 1922. Reprinted by permission from the Illinois Law Review. Massachusetts Bar Association, Boston, Mass.

We are afraid that we have been too much concerned with the weightier matters of the law to give prompt attention to the three books mentioned above, but the welcome arrival of the May number of our journalistic friend at Boston, with its essay on the Legal Novel and its select list of the best of such works, has reminded us that this class of literature is specially interesting to the lawyer. Mr. Wigmore prepared a manuscript list of some fifty titles in 1898. It was gradually enlarged and printed from time to time in various American publications, and at length a list of some 375 was published in the *Illinois Law Review* for April, 1908. That number of the Review is out of print, and to enlarge the list thoroughly so as to bring it up to date has been found impracticable. But to satisfy a popular demand, Mr. Wigmore has prepared a list of one hundred legal novels, and this, with a preparatory essay, has been published in the *Illinois Law Review* and is reprinted in the *Massachusetts Law Quarterly*. The authors with most

novels in the list are Balzac (11, including *César Birotteau*, which is a revelation of the misery of bankruptcy proceedings), Dickens (6), and Scott (11), while authors with fewer numbers include Blackmore (*Lorna Doone*), Bulwer-Lytton (*Eugene Aram*), Hall Caine (*The Deemster*), Fennimore Cooper (*Redskins*), Conan Doyle (*Micah Clarke*), Dumas (*Black Tulip*), George Eliot (*Adam Bede* and *Felix Holt*), Maxwell Gray (*The Silence of Dean Maitland*), Henry Kingsley (*Austin Elliot*), Gilbert Parker (*Right of Way*), Charles Read (*Hard Cash*), Stevenson (*Kidnapped*), Thackeray (*Pendennis*), Tolstoi (*Resurrection*), Samuel Warren (*Ten Thousand a Year*), and Stanley Weyman (*Man in Black*). Some of these authors have more than one book mentioned, and there are others whom we have not named.

In the introductory essay Mr. Wigmore gives four tests for a legal novel : (a) Novels in which some trial scene is described—perhaps including a skilful cross-examination; (b) Novels in which the typical traits of a lawyer or judge, in the ways of professional life, are portrayed; (c) Novels in which the methods of law in the prosecution and punishment of crime are delineated; and (d) Novels in which some point of law, affecting the rights or the conduct of the personages, enters into the plot. In the list each book has one or more of these letters assigned to it as the reason for its inclusion. Thus the *Pickwick Papers* and the *Old Curiosity Shop* are marked (A) (b); *Lorna Doone* and *Micah Clarke*, both (A) (Judge Jefferys, who figures also in other books on the list); *Adam Bede* (A) and *Felix Holt* (A), (b), (d) (the (d) because of the well-known base fee device, in which we believe the authoress was assisted by Mr. Frederick Harrison); *Hard Cash* (A), (b), (c); *Kidnapped* (b), (c); *Pendennis* (b); *Resurrection* (A), (b), (c), (d). The arrangement is ingenious and interesting. Then again Mr. Wigmore, classifies the "legal" novelists in three groups according as they were themselves lawyers or were trained for the law (Fielding, Scott, Balzac, Dickens), or learned their law in the painful school of personal litigation (Cooper, Reade); or prepared for the legal episodes by special research (George Eliot, Stevenson). And we should mention also, a writer belonging to the first group whose name is unfamiliar to us—Arthur Train, who, we read, "with the vantage point of a District Attorney's office, may well be deemed our modern Fielding, now that he has broadened his canvas." Three of his novels are included: *Tutt & Mr. Tutt*, *By Advice of Counsel*, and *As it was at the beginning*, of which the first two share with *Resurrection* the credit of getting into the list on all the points (A), (b), (c) and (d). Both the essay and the list are very interesting, though we fear they are not readily accessible to English readers.

The three books mentioned at the head of these observations are, of course, too recent to find a place in the list, though they all satisfy one or more of the tests of a legal novel. *The Master of Man*, with its incident of the Deemster who tries for child-murder the mother of his child and condemns her to death, easily comes in on test (A), and also on (b) and (c); *The Old Adam*, with its ingenious plot of a forged deed of appointment under a will, which becomes futile owing to the discovery of a later will, comes in under (d), and also under (c), for the gang who plotted the fraud are discovered and punished; but the book gets its title from the yielding of the hero to feminine influence in a quite non-legal manner; and *Lester Grayling, K.C.*, deals with the case of a leading silk who varies his professional pursuits by the study of criminology, both from the scientific and practical standpoint, and grapples with crime on his own account, somewhat in the Sherlock Holmes style, outside the courts even more successfully than he manages his cases in court; but he who takes Sherlock Holmes as his model sets himself a hard task, and equal success is not to be expected.

## Books of the Week.

**Jurisprudence.**—Essays in the Law. By The Right Hon. Sir FREDERICK POLLOCK, Bart., LL.D., D.C.L., K.C. Macmillan & Co. Ltd. 12s. 6d. net.

**Criminal Law.**—Criminal Law in a Nutshell, with a selection of Questions set at Bar Examinations. By MARSTON GARSIA, B.A., Barrister-at-Law. Sweet & Maxwell, Ltd. 3s. 6d. net.

**Constitutional Law.**—Constitutional Law and Legal History in a Nutshell, including an Alphabetical Table of Writs and their uses, and a Comparative Table of the Constitutions of Canada, Australia and South Africa. By MARSTON GARSIA, B.A., Barrister-at-Law. Sweet & Maxwell, Ltd. 4s. net.

**Notable British Trials.**—Trial of George Joseph Smith. Edited by ERIC R. WATSON, LL.B. Wm. Hodge & Co., Ltd. 10s. 6d. net. [Brides in the Bath Murders.]

## Societies.

### The Law Society.

#### ANNUAL PROVINCIAL MEETING.

The Fortieth Provincial Meeting of The Law Society has been held at Leeds during the week.

#### DEGREE FOR PRESIDENT.

The proceedings opened on Monday with a reception by the authorities of the Leeds University and the conferment of the honorary degree of Doctor of Laws upon Mr. A. Copson Peake (Leeds, President of The Law Society). The Duke of Devonshire (Chancellor of the University) sent a telegram

deeply regretting that, owing to an important public engagement, he could not be present. In his absence the guests were received by the Pro-Chancellor (Mr. E. George Arnold), who later presided at the degree ceremony, and the Vice-Chancellor (Sir Michael Sadler).

The President was presented to the Vice-Chancellor for the honorary degree of LL.D. by Professor HUGHES, head of the Department of Law at the University, who observed that it was peculiarly fitting that the University should honour Mr. Copson Peake, who throughout a long career had not only achieved an honourable position as a practitioner of the law, but had continually and closely associated himself in many varied directions with the public life of Leeds. His services to education had been of a two-fold nature. In his capacity as governor, and for some years as chairman of governors, of the Leeds Grammar School, he had assisted in maintaining there the high tradition of a public school serving a great city; while, as a member of the Law Committee of the University of Leeds, he had shared in the responsibility of advising on the policy of the Law Department of the University.

The VICE-CHANCELLOR said that the Law Department at the University meant a great deal to them. For the last twenty-five years it had been growing in influence and experience. It was owing to the action of the Yorkshire Board of Legal Studies, combined with the fact that The Law Society had guaranteed to it certain financial assistance, that the authorities of that institution had brought law within its course of study. The law was a necessary part of the programme of any great institution which gave higher education in the modern State. It seemed to him that it became more and more important that those who practised law should receive the widest possible education.

The PRESIDENT, acknowledging the honour conferred upon him, said that legal education, so far as the Law Society was concerned, was at present in rather a state of transition in consequence of the passing of the Solicitors Act of the past session. He assured the Vice-Chancellor that the Law Society had always held a high opinion of the Law Department of the Leeds University, which was destined to be the greatest law school in the North of England.

#### CIVIC WELCOME.

The members met on Tuesday at the Queen's Hotel. The LORD MAYOR of Leeds, who presided, gave a hearty welcome to the visitors to the city, and a vote of thanks was passed to him on the initiative of the PRESIDENT.

#### PRESIDENT'S ADDRESS.

The PRESIDENT then took the chair, and read his address as follows:—

It is my first duty as well as my great pleasure to express to the members of the Leeds Law Society my grateful thanks for extending to the Law Society their hospitality on the holding of the Annual Provincial Meeting in Leeds, when I, as a Leeds solicitor, have the honour of occupying the Presidential Chair. For forty-three happy years I have practised in Leeds, and the compliment which you have extended to the Law Society is most gratifying to me, and I would offer my most heartfelt thanks to those who have suggested and given practical effect to the suggestion. It is some seventeen years since the Society visited the city under the presidency of the late Mr. Charles Mylne Barker—I was then Honorary Secretary of the Leeds Law Society, and consequently know something of the work that is entailed upon the Local Society which undertakes the entertainment of the Parent Society at its Annual Provincial Meeting.

#### THE SOCIETY AND ITS MEMBERSHIP.

As a Provincial member of the Council, I think I may be pardoned if I say something of the Society and the work that is done on behalf of the members of the profession. The Society has sole control of all matters affecting the profession. It undertakes the education, examinations, and the discipline of the members. It is the registrar for all Certificates of Practice, as well as for Commissionerships for Oaths. The Provincial Solicitor owes a great debt to the members of the Council, and particularly the London members, for the great amount of time and work they devote to their interests.

When the Society visited Leeds in 1905, the number of members was 8,434—it is now 9,350—that increase is in the right direction; but it is not sufficient. Every member of the profession should be a member of the Parent Society, as well as being a member of the Local Society—the annual subscription to the Parent Society, £1 11s. 6d. for a county member—is small considering the rights and privileges which a county member has, if he will only take advantage of them, and particularly carefully peruse the monthly "Gazette," which gives him the latest information respecting the profession. The Law Institute in Chancery Lane is the cheapest club in London, apart entirely from the professional advantages. In the cases of firms, I know it is sometimes thought sufficient for one member of the firm to be a member; but I would suggest that that is a very narrow point of view to take—the Wakefield Law Society used to fix its subscription so as to include the subscription to the Parent Society, and thereby secure that all their members were also members of the Law Society. If that excellent system could be carried out by all Provincial Societies, it would, I think, bring about a large increase of membership, and at the same time be a saving of trouble and expense to all concerned. This scheme would have to be thoroughly considered by all the Provincial Societies, as there may be debatable points of which I am not fully cognisant. I should very much like during my year of office to see the membership increased to over 10,000, and I would point out to my Yorkshire brethren, that Lancashire has 1,000 members to 950 members from Yorkshire. I leave it there, knowing well that the followers of the White Rose will not be behind the followers of the Red Rose.

#### GRAND JURIES.

I should like to give my personal opinion as to the value of Grand Juries after an experience of over a quarter of a century at the Leeds Quarter Sessions. If my memory serves me correctly, there have only been about 1 per cent. of "No Bills" during that period. The cost of the Grand Jury, including the summoning, witnesses, etc., would, I calculate, amount to £15 a session; four sessions a year equals £60 a year. Now, if that is the cost to the City of Leeds, Grand Juries must in the same ratio cost the country some thousands a year. Are Grand Juries in these days, when rigid economy should be observed, worth it? I say emphatically, No. The days when Grand Juries may have had their value are gone by. In most cities and boroughs we now have learned Stipendiaries and expert benches of Magistrates who know their work, and if they decide that there is a *prima facie* case for a Jury, it seems to me ridiculous that a Grand Jury of non-expert men and women should be able to throw out and upset the decision of the expert Magistrate. I know it is said in the counties, the Magistrates (who generally compose the Grand Jurors at Assizes) like to meet one another and possibly lunch at the High Sheriff's expense. My reply is, let them meet, but not at the expense of the taxpayer. Another cogent reason for doing away with Grand Juries is, that legal aid to Poor Prisoners can be given where there is any reasonable doubt shown by the depositions. In the days of the war, when Grand Juries were suspended, the work of Quarter Sessions could be arranged and commenced without loss of time; but now again the Grand Jury has to be charged, and as women are now included, this takes up more time, and the Court has to wait for Bills to come down.

#### COMMISSION TO SOLICITORS ON GOVERNMENT ISSUES.

Another subject of interest to the Profession is the payment of commission to solicitors on the issue of Government securities. Your Council has on several occasions petitioned the Government to pay solicitors the same commission as is paid to bankers and brokers and, although backed up by the Scotch Societies, these appeals so far have been refused. I know that some of our prominent practitioners do not favour the idea; but, personally, I cannot see why the Profession is not quite as eligible and suitable to receive the same commission as bankers and brokers. I should be glad if a discussion were to take place, so that the Council might know the general views of the Profession on the subject.

#### LAW OF PROPERTY BILL.

As you know, this Bill has now become an Act and will come into effect on 1st January, 1925—this gives the profession time to digest it fully. The two main objects of the Act are (1) to simplify and facilitate the transfer of land, (2) to give greater facilities for the sale and leasing of settled lands. The Act will abolish an antiquated and cumbersome system of conveyancing, which has for long years been admittedly out of date. It introduces no fundamental amendments of the law, with the exception of the facilities given for the sale of settled estates, and the amendment of the law of intestacy, and also with the exception of those amendments which are necessary to assimilate as far as possible the law of real with that of personal estate—this includes the abolition of copyholds and other special tenures. This is the most far-reaching Act affecting the Profession which has been passed during the last hundred years—it is evolution on right lines, and every member should carefully peruse it. Lord Chancellors and law reformers have during the last half-century done what they could to improve the conveyancing system; but Lord Chancellor Birkenhead will go down to posterity as the Lord Chancellor who actually carried this object into effect. In July last Mr. Cherry, the draftsman of the Act, wrote the Council of your Society thanking the members of the Profession for their assistance, and frankly stating his view that but for that assistance the Act would not have been passed.

The history of this Act, with a short summary of its main provisions, appeared in the Annual Report of the Society of 1921, and in this year's Report there are two memoranda which outline its contents, and I would also refer my hearers to the very excellent exposition of my friend Sir Charles Morton in his Presidential Address at Liverpool in 1920. I must point out that the assimilation of the transfer of realty to that of the transfer of personalty is viewed with favour by the friends and supporters of registration; but under the Act no extension, at the end of the period of probation (10 years from 1st January, 1925) can be made until the following steps have been taken: (1) An Order in Council; (2) an enquiry; (3) a debate in both Houses of Parliament. It is now up to the Profession to carry out the effective working of the new system during the probationary period to the best of its ability. In my humble opinion, if properly worked, any further extension of registration with its attendant satellites—officialism, publicity and red tapeism—should not be possible or probable. At the same time, I must not shut my eyes to the fact that by Section 183 the powers of the County Councils as to registration are preserved in a slightly altered form, but notwithstanding this, I do not think any County Council in the face of the recommendations of the Royal Commission, and those of the Acquisition of Land Committee, would go in for compulsory registration until after the probationary period prescribed by the Act. Notwithstanding the great care with which the Act has been drawn by Mr. Cherry, there are certain to be found points and amendments that have not been covered or thought of, and consequently when the working of the Act comes into being, further legislation may be found necessary.

#### GENERAL CONDITIONS OF SALE.

Now that the law of realty is being simplified, would it not be a good opportunity to have a standard form of Conditions of Sale by auction and

private treaty for the whole country, issued by the Law Society, to their members or the members of a Provincial Law Society? At the present time, the Yorkshire Union of Law Societies (like many other Provincial Law Societies) have their own copyright conditions, which are sold to the affiliated Societies for distribution amongst their members, and I do not see why the same system should not be carried out on the above more comprehensive scale. I know there will be various local differences of opinion on some points; but I feel sure these differences could be got over, perhaps with the help of our friend Mr. Cherry, who so ably drafted the Law of Property Act. The conditions, being only issued to the members of the Parent or Provincial Societies, would in some measure bring pressure to bear on solicitors who at present are not members, to become members of either the Parent or Provincial Society. I think, before such a scheme matured, the associated Provincial Law Societies should be asked for their views on the matter, and I would also call the attention of members to Section 107 of the Law of Property Act, which gives the Lord Chancellor power to prescribe and publish Conditions of Sale of Land.

#### LEGAL EDUCATION.

"The Solicitors Act of the past session (printed *in extenso* in our "Gazette" for this month) is a most important one to the Profession. Sections 2 and 8 are the chief sections to which I would call your attention. Section 2 provides that prior to taking his Final Examination a Clerk articled after 31st December, 1922, must have attended for one year a course of Legal Education at a Law School provided or approved by the Law Society. The section provides for total or partial exemption where such attendance is for geographical or other reasons impracticable, and does not apply to Clerks who have taken an university degree after passing a final examination in law at such university—or to ten-year Clerks under Section 4 of the Solicitors' Act, 1860.

Section 8 increases the fee payable to the Society in respect of a practising certificate from 5s. to £1, and provides that such increase shall be applied as the Law Society think fit towards the expenses of the Society's School in London, and making grants to approved Law Schools elsewhere.

The Society will thus have increased powers and responsibilities with respect to the education of Articled Clerks, as well as an increased income with which to assist its own and the Provincial Schools. Whether the increased income will be sufficient to carry out effectively the education contemplated by the Act is very doubtful. The Education Committee will have to go very fully into the working of the existing schools, to see that they are being worked so as to give Articled Clerks the most efficient education with the view of thoroughly equipping them for their profession. The question of further Schools of Law will also have to be gone into so as to give all Articled Clerks fair and reasonable opportunities of obtaining the requisite course of Legal Education required under the Act. And in considering this the Committee will have to see that the Provinces are provided for as far as possible. With regard to Legal Education, I should like to say that besides the actual legal training, there is a moral side, and in all Law Schools, high rectitude of conduct and integrity in our Profession should be thoroughly taught—Law should be the unity of those ethical standards which are but the attributes of righteousness. I cannot leave the subject of Legal Education without referring to the loss the Council have sustained through the death of that great Yorkshireman, Sir Albert Rolitt. He has always been one of the staunchest supporters our Legal School has had, and he has done much good and lasting work on the Education Committee and for the Profession at large.

#### CIRCUIT RE-ARRANGEMENTS.

You will have observed that the Lord Chancellor has appointed a Committee (of which I am a member) under the Chairmanship of Mr. Justice Rigby Swift to consider what re-arrangements of the Circuits of Judges can be effected so as to promote economy and the greater despatch of the business of the High Court. So far only preliminary meetings of the Committee have been held, and the real business will commence at the end of the Long Vacation. The question of re-modelling the Circuits is an old one, and several Committees have considered and reported on it. From time immemorial, the Judges have visited every county twice a year. In the 18th century a third Assize was added, and in the 19th century a fourth Assize; but both of these Assizes were limited to certain specified places. The Act of 3 & 4 William 4, c. 71, gave power, by Order in Council, to add to the number of Assize Towns in any county. Under this Act, Liverpool, Manchester, Leeds and Birmingham were added as places at which Assizes were to be held. The Judicature Act of 1875, by Section 23, gave a very wide power to alter the places for holding Assizes; wide as the words are, however, they have apparently never been interpreted as conferring the power. The Winter Assizes Acts of 1876 and 1877 (which refers really to the "Autumn" Assizes) give power by Order in Council to eliminate for the purpose of that Assize, any particular Assize Town, and to unite the county whose town is thus eliminated with a neighbouring county for Assize purposes. Under these Acts certain re-arrangements have been made for the purposes of the Autumn Assizes in every year. Under the Spring Assizes Act, 1879, Spring Assizes are now held only in Lancashire and Yorkshire. By the Assizes and Quarter Sessions Act, 1908, means of avoiding the holding of Assizes at places where there was no business was provided. From the above it will be seen that certain alterations and amelioration in the Circuit system have been made. The Committee will have to consider many important and debatable points, but I hope a Report will be forthcoming that will be unanimous and of real beneficial help to the Lord Chancellor on this important matter.

#### LADY SOLICITORS.

During the coming term we shall have Lady Solicitors. As an admirer of the fair sex, I hope they will receive from the reputed sterner sex that courtesy and encouragement which is their due. Although there may be some cases in which Lady Solicitors may do good and effective work, I cannot help thinking (though I speak with bated breath) that ladies by their character and temperament are not built for the rough-and-tumble life and work of the ordinary Solicitor, and that they would be far better employed in attending to homework and the bringing up of future generations of Solicitors of the male sex.

Portias will, I am afraid, be few and far between; but now that the fair sex have got the *entrée* to the Profession, it behoves the male sex to look to its laurels—what mix-ups may be looked for—solicitor marries solicitor? Will the male client want to consult the female solicitor and *vice versa*? Situations may arise which are altogether too complicated to contemplate. If any lady friend of mine asks for my opinion as to entering the Profession, my advice will be the same as Punch's to those about to marry—"Don't."

There are other subjects which are well worth our consideration, but as they are being dealt with in the papers that are being read during the meeting, I do not propose to say anything on them.

In conclusion, I should like to say a few words on what I think would be a great benefit to the Profession, and particularly the younger end, viz.: that the senior members should do their best to assist and encourage the younger members in every way possible: this would, I think, tend to do away with that baneful feeling of jealousy and want of confidence. We, who are nearing the end of our professional lives, should hold out the helping hand to those who are entering the Profession, pointing out the pitfalls to avoid, and instilling into them by our own example the unwritten rules of honourable practice and professional etiquette and courtesy which should regulate every member of that honourable and great Profession of which they and we are (or should be) proud members.

A hearty vote of thanks was passed to the President, on the motion of Mr. H. E. CLEGG (President of the Incorporated Leeds Law Society).

#### ORGANISATION OF THE PROFESSION.

Mr. SAMUEL E. BUTCHER (Bury) read the following paper:—

Although adequate professional organisation has been over a long series of years a frequent topic of discussion, I hope that some practical suggestions towards its accomplishment will not be deemed out of place at the present time. Our own interests demand unity, as well as watchfulness, if we are to be protected against the oft-repeated attempts upon our professional position. The interests of our clients and of the public call, in these days of opportunist legislation, for careful and general observation lest the principles of our jurisprudence be unwisely impaired or whittled away. The head and front of such organisation as we possess is the Law Society, a Society officially recognised as the mouthpiece of the Profession, performing important judicial and disciplinary functions, and during the last Session of Parliament entrusted with great added responsibilities regarding the education of future Articled Clerks.

Yet this Society does not represent, in its numbers, the whole Profession. Of 5,000 London Solicitors, 4,000 are members; whilst of 9,400 country Solicitors only some 5,400 are members. With one-third of the entire Profession, and four-ninths of the country Solicitors outside the Society, whilst it may interpret, it does not represent the aggregate of the opinion of the Profession generally. In particular does this apply to the opinion of country Solicitors.

As I have said, I do not suggest that the Law Society fails to interpret the opinion of the Profession generally. Still, it is a matter for comment that the Council of the Law Society contains scarcely any men representative of rural neighbourhoods or of the smaller towns.

Most of us know that the Council is not insensible to the representations of Solicitors, and of local Societies, made directly, or through the Associated Provincial Law Societies.

I believe that country Solicitors remain outside the Society not so much by reason of distrust that London is its principal concern, but by reason of ignorance of the work which has been, and still is being done, and an apathy largely due to a sense of isolation.

Any organisation to be strong must be built up from the bottom. The Law Society will not be as strong as it ought to be, unless and until Solicitors work together locally upon lines of unity, cultivating comradeship, and interesting themselves in the wellbeing of the Profession as a whole.

I believe that if a sound sense of comradeship amongst country Solicitors can be secured, it will have surprising results in adding to the membership of the Law Society, and the organisation of the entire Profession upon a basis of intelligent interest.

Men, whether in business or professions, who have attained or passed middle life, have only too often lost keenness in their work. The illusions of youth regarding their occupation have disappeared. If such be the case they have parted with much possible happiness. This is so even if they have been successful in a monetary sense. The professional man desires, of course, to make and save money, but it is not the ultimate or highest purpose of his calling. The strongest antidotes against disillusionment in professional life are a sound knowledge and love of our work, and the friendly regard, not only of our clients, but of our professional brethren.

Circumstances are conspiring to make the Solicitor and the Accountant in a special sense the business men of the future. Traders are increasingly compelled to seek their advice, not only upon purely legal points, but also upon matters of business policy and method. Personal isolation is fatal to the acquisition of the facility for dealing with such responsibilities.

Hardly any life can be more solitary than that of a young Solicitor commencing practice in a country or small urban district. If there be no wise and generous senior in practice, who will give him friendly greeting, nor any Law Society with the members of which he may take counsel, his life will inevitably become narrow; and, whatever satisfaction some meed of success may bring to him, he will not develop as, under favourable and sociable conditions, he would do.

It is not unknown for a newcomer into a country district to receive the cold shoulder from practitioners of longer standing. This is calculated to sour him, and may lead to practices which will be detrimental alike to him and to them.

In most of the counties in England there exist one or more Law Societies, but many counties in Wales are wholly without. In but few counties, even in England, do the local Societies cover the whole county, and in none of them, save in connection with the Manchester Society, is there, I believe, any affiliation between the small local Societies and any large local Society.

There are sixty local Law Societies affiliated with the Associated Provincial Law Societies. They have an aggregate of 5,847 members, a small proportion of whom will be members of more than one local Society. It will be remembered that the Law Society has some 5,400 country members. Of Societies having a membership of more than 100 there are 20, of between 50 and 100 there are 19, and of under 50 there are 21. There are, I know, a few additional Societies not affiliated with the Associated Provincial Law Societies.

The large Societies have their headquarters in large provincial towns or cities.

It appears very desirable that small Societies should be established in every district, so that Solicitors may periodically meet their fellows, may discuss matters affecting their local interests, and take into consideration the larger matters affecting the profession as a whole. Such meetings will necessarily give them a larger knowledge of and interest in the work of the Law Society, and if wisely conducted create an invaluable local comradeship, and advance in professional knowledge.

A further step is necessary. Such Societies will in the majority of cases be small in membership, and, without some outside spur, may fade away. They may well, if standing alone, feel that, save in matters of purely local interest, they have no influence. True they may join the Associated Provincial Law Societies. Probably they would. But if they do, it is not every Society which will, owing to cost and inability to find, out of so small a number, a man to spare the time, be able to be represented at the Meetings of the Associated Provincial Law Societies, and the General Meetings of the Law Society.

Accordingly my next suggestion is the federation or association of a number of these small local Societies with some larger neighbouring Society, perhaps directly represented on the Council of the Law Society, and in any event sure of representation and a hearing at the Meetings of the Associated Provincial Law Societies.

This association is accomplished in Manchester with regard to its six Federated Societies under the following rule:—

"Any member of the Society who is also a member of a local Law Society existing within twenty miles of the Manchester Royal Exchange, which contributes an annual sum of not less than £3 3s. to the funds of the Society, and who is nominated in that behalf by such Law Society, shall be eligible to be elected by the Committee of the Society an extraordinary member of such Committee.

The Committee of the Society may from time to time prescribe the time and method of such nomination and of the election of any extraordinary member and the period, not exceeding three years for which an extraordinary member shall hold office until re-nominated and re-elected. Extraordinary members so elected shall be additional in number to and shall have the same powers and duties during their tenure of office as are hereby given to the thirty ordinary members of the Committee elected in accordance with the preceding clause hereof."

As a matter of practice each local Society nominates one member to the Manchester Committee.

A reduced subscription is charged by the Manchester Society to members of that Society who are also members of a local Society within the Manchester Law Society's area who do not actually practise in Manchester and Salford.

Election to membership of the Manchester Law Library, which is a society separate and distinct from the Manchester Law Society, is now restricted to members of the Bar, and members of the Manchester Law Society, so that it is of advantage to men outside Manchester to join the Manchester Law Society, in order to avail themselves of the Manchester Law Library.

The scheme has been of value to the members of my own local Society, that of Bury and District. We have had the good fortune to be represented on the Committee of the Manchester Society by Mr. Chell, our very thorough local Secretary.

His reports to the Bury Society of the work of the Manchester Society have enlarged the outlook of, and contributed no little to the information of, the local Society, and, as a past or present president of both Societies, I am able to say that I believe the association to have been useful to the Manchester Law Society.

It is difficult for a large Society to have that intimacy of touch with its members which a small local Society can have. That intimacy of touch is far from unimportant in matters affecting our Profession, and it can in some degree be imported by representatives of small Societies on the Committees of larger ones.

I hope it will not be thought impertinent, or useless, to tell you something of the history of the Bury and District Society. My object in doing so is only to illustrate the utility of such a society.

We had the good fortune to start the Society over thirty years ago under very happy conditions.

We had in those days a small mess of the advocates (most of us then young and enthusiastic) practising in the County Court, a mess inaugurated by and presided over by the genial and learned Registrar of the Bury County Court, Dr. Henry Brierley, now Registrar of the Wigan County Court. He was and is of the essence of fraternity. Out of our luncheon talks arose the idea of a local Law Society. It was almost universally acclaimed by the Profession in and around our town of some 60,000 people. The senior members of the Profession from the first not only gave it countenance, but added their good counsel and loyal co-operation. We had our annual dinners and our periodical meetings of the Committee. We established a small Law Library belonging to the Society and printed a catalogue of all law books in the possession of our members. These last other members were able to borrow. We fixed a minimum scale of charges for conveyancing and advocacy. This scale has been modified upwards from time to time and has been loyally adhered to. Now the conveyancing scale approximates to that under the Solicitors' Remuneration Act. Thereby has been avoided that undercutting, generally resulting in insufficient remuneration and bad workmanship, which was previously not unknown.

But the greatest boon has been that there has gradually grown up a feeling of fellowship, with consequent disappearance or diminution of professional jealousy. We have come to the conclusion that there is room for us all; and that no good purpose can be served by trying to cut each other's throat. We are able, on occasion, to help one another in our professional work, and if a man is laid aside, by illness or accident, or, being in a single man practice, desires a holiday, there are always volunteers to carry on his work, without any sinister consequences to him. We have by no means restricted the Presidency of the Society to the senior members of the Profession. Some quite junior men have filled the post. It has given them an invaluable sense of status and responsibility.

It was only a little thing—but it has had its influence—that our first President, the then senior member of our Profession, laid it down as a canon of address at all our meetings that the men present should be addressed solely by their surnames, without any prefix.

I do not wish to prolong this local history, but I must add that we have, during the winter, monthly meetings of the members at which we usually have an attendance of fifteen to twenty out of about thirty-six members of the Society. Some subject of general or local professional interest is introduced by some member, and then becomes a subject of discussion.

All the Solicitors in Bury itself and a number of Solicitors from the surrounding district are members of the Local Society.

A result of such a discussion on the organisation of the Profession some few months ago was the addition of eight to ten members to the Law Society itself, so that now nearly all our members are members of the Law Society, and a considerable proportion of them also subscribers to the Solicitors' Benevolent Association.

For this winter we are to take into consideration the Law of Property Act, so far as we can cover the ground, and it has been decided to invite our clerks to attend the meetings at which the addresses will be delivered.

May I here say that as a law student I found the attendance at moots either of the Manchester Law Students Society, or at small after-luncheon meetings which we held, quite the most valuable part of my legal education.

I hope you will forgive my troubling you with this detailed local history, but the facts have impressed themselves upon my mind as an illustration of what local organisation may do towards our general professional well-being.

I believe, as I have already said, that the road to national organisation is by the way of greater local cohesion.

The recent Solicitors Act adds emphasis to the need of such local cohesion. Under that Act every clerk articulated after the 31st December, 1922 (save ten years' men, graduates in law, and men exempted by the Law Society) must before taking his final examination satisfy the Law Society that he has for one year complied with the requirements of the Society as to attendance at a course of legal education at a Law School provided or approved by the Society.

Country Solicitors are at least equally with town Solicitors concerned about the education of their articulated clerks, and the standing of the Profession. At the same time they are persuaded that a clerk in a country office who has, particularly in conveyancing and draftsman'ship generally, to work without recourse to Counsel, secures a better grounding in principles than one who is accustomed to refer any serious difficulty to Counsel. They also have a suspicion that the distractions of town life do not always tend to patient climbing towards professional efficiency.

Some will also doubt whether to exchange the actual work, under the supervision of principals of experience, will be compensated for by any course of lectures, however excellent, in unaccustomed surroundings.

Neither do they forget that many of the most capable and rightfully trusted men of our Profession have come as boys from relatively poor homes, and they are concerned lest such as they should hereafter—on grounds of cost—be debarred from entering our Profession. These are, of course, considerations which should have been fully brought into review before the Bill was presented to Parliament. I leave leave to doubt whether such review was made by country Solicitors. There would have been more likelihood of it, had the Profession in the country districts been properly organised and fully consulted.

But we now have the Act and the burden is upon us all to see that it is properly administered and its purpose effected.

I presume that the increase of Certificates Duty imposed by the Act will produce to the Law Society about £11,000 per year. This is to be applied by the Law Society for educational purposes. Even if the whole of it were allocated for schools of law outside London, it is clearly insufficient to cover the cost of such a number of Law Schools, with a paid teaching staff, that articulated clerks everywhere may attend there without ceasing to live at home and losing the benefit of their principal's training. It is likewise clear that a paid teaching staff—if the course of instruction be standardised—will, in many cases, not be procurable.

I would respectfully suggest to the Council of the Law Society that before formulating any scheme, they should call into consultation representatives of really country areas. As I have already said, the Council of the Law Society almost wholly consists of men from London and districts adjacent thereto, and of practitioners in large towns and cities. I also venture to hope that the principles upon which exemptions from personal attendance at a Law School are to be granted by the Law Society shall not be fixed prior to their having full consideration by country practitioners and societies. But the Act now imposes upon country practitioners positive responsibility for its effective working so far as practicable. How this can be done is not too clear at the moment. Voluntary effort may do something; but that voluntary effort is hardly likely to be made, and, if it be made, is little likely to prove effective, without a complete organisation of the Profession.

I have made for your consideration my suggestions to that end. Their success or failure will be commensurate with the active sympathy, or otherwise, which they receive throughout the country. Without enthusiasm they will be of little avail, but, granted enthusiasm and persistence of action, they will effect a beneficial purpose, not only locally, but to the Profession as a whole.

I hope the Council of the Law Society will approve of an endeavour being made to carry them into effect. If it does, the Associated Provincial Law Societies could, with some likelihood of success, undertake the necessary spade work. It will be complicated, and it will not be by any means easy to excite the requisite local enthusiasm. If but partial success come, the experiment will be worth while, because it cannot fail to remind the most remote of us that he cannot stand alone; either for his own sake or for the well-being of the great Profession of which we are proud to be members.

The PRESIDENT observed that the Council of the Law Society had appointed a committee to carry into effect the very points which had been brought out by Mr. Butcher.

Mr. A. M. INGLEDUE (Cardiff, a member of the Council), said that before the Bill became an Act the Society instructed the Secretary (Mr. E. R. Cook) to communicate with every provincial Law Society with a view to such society taking active steps to provide for an approved law school in their district. It seemed to him, looking over the area of the provincial Law Societies, that nearly every society had within its immediate reach a local university and—as was the case in Leeds and, he believed, in Liverpool and Manchester—courses of legal education had been established by the authority of the respective universities. He felt that there could be no doubt that most of the law schools so established would be approved. He believed there were certain other law schools which would not come up to the standard of approbation that would be laid down by the Society; but it was for the supporters of those schools to co-operate with the Society with a view to their more efficient conduct. It was within his personal knowledge that one school which had been of some efficiency had been abandoned by reason of the war, and there had been a certain apathy on the part of the local Law Society to resuscitate and restore the school. It was up to the provincial members of the Society to know that the fact of there not being an approved legal school within reach was not sufficient ground for exempting articulated clerks from the operation of the Act, and it was for the local legal authorities to see that, if it was professionally possible, approved schools of law should be established in the various districts. He felt convinced that if the matter was dealt with in the way that had been suggested in the paper, namely, that sympathy and assistance should be given to the smaller schools, the exemptions would be confined almost entirely to the very few articulated clerks who might be found in the far corners of the kingdom. He frankly admitted that it would be a great expense and probably a hardship for a student at Penzance to attend a legal school. The nearest school would probably be at Exeter; he might remind the meeting that Exeter had taken the subject into consideration before any other district, and had passed a resolution to establish a law school at their new University; and the Law Society were acting in co-operation with that society. That was an excellent example of progress. He trusted those present would feel that it was up to them to assist in the formation of these legal schools. If they did not follow that course they would, four years hence, find that articulated clerks would have a difficulty in getting the necessary permission to sit for final examination.

Mr. OSBORNE (President of the Manchester Law Society) agreed with the remarks of Mr. Ingledue, and urged the working together of the larger provincial law societies with the smaller ones, which would lead to success. He was also in favour of membership of a local society necessitating membership of the parent society.

Mr. R. W. E. L. POOLE (London, a member of the Council) said that nobody wished to exclude from the possibility of entering the profession those who had not the means or who for other reasons could not attend a legal school. What was desired was to encourage young men who intended to become solicitors to attend the same schools, so that they could come

together in professional life and recognize one another as having been associated in the early part of their career. Legal schools should gradually be established all over England, with the Law Society as their common parent.

#### THE RENT RESTRICTION ACT.

The following paper by Sir KINGSLEY WOOD, M.P. (London), was read by the SECRETARY (Mr. Cook), Sir Kingsley having been compelled, owing to indisposition, to relinquish his public engagements:—

The great majority of our citizens will agree that any interference with free working of economic laws is in itself inadvisable, and when Parliament attempts it, the reason for its action must be overwhelming, and at the best such a course, if adopted, can only be regarded as the choice of the lesser of two evils. The unparalleled and world-wide house shortage can be the only justification, and the sole reason for the continuance of the Rent Restrictions Act. It is, however, only fair to state that the action of the Legislature and its consequences are by no means peculiar to this country or to this particular Parliament. Last month we could read with some sympathy an account of a large and representative gathering of Viennese property owners demanding that the Government should remit them their taxes, since they were compelled by law to take less than an economic rent from their tenants. They forcibly pointed out that, whilst the law stopped them raising their rents, there was nothing to stop the steady rise in the cost of keeping up their houses, or in the wages they had to pay to house porters, plumbers, or other workmen, and consequently instead of getting an income from their property they lost heavily on it.

If the landlords' position is hard, it is not a difficult matter to put an effective case for the tenants, threatened with eviction or the payment of largely increased rents at a time when it is difficult to make ends meet, and when the housing shortage, though somewhat relieved, no doubt continues to an extent that demands from the tenant's point of view a continuance of protective legislation.

Before the war there were some eight and a quarter million houses in Great Britain, and all except some 200,000 are subject to the operation of the Rent Restrictions Act, unless in the occupation of their owners, whilst perhaps 90 per cent. of the mortgages at present effected are also subject to its provisions. The Act, unless Parliament intervenes, expires automatically on 24th June, 1923, and an influential committee has been set up to consider the whole question and report in sufficient time to enable Parliament to consider their Report, and if necessary deal with the matter before the present Act ceases to operate.

In any discussion on the continuance of the Act or its modification grave matters of public policy arise involving the interests and touching the lives of most people in this country. It is only possible to touch briefly on certain aspects of the subject.

It is publicly stated in certain quarters that landlords are already serving tenants with notices that, as the Act is about to expire, ejectment must now follow or new and more onerous agreements must be signed. There may be little or no foundation for this allegation, but in a consideration of the continuance or otherwise of the Act the probable results and possible consequences that may arise must certainly be taken into account.

#### RESTRICTIONS IN RELATION TO MORTGAGES.

The question of the present restriction on mortgages, for instance, is an important one, and in this connection it is desirable to emphasise the fact that all owners are not predatory and profiteering persons, but that there are to-day large numbers of the working-classes who, through building societies and similar institutions, have invested their savings in house property. The present restrictions as to calling in mortgages are undoubtedly a hardship in cases where, owing to death, mortgage moneys are required for the purposes of distribution, or in others where money is required for investment in businesses which, amongst other things, if so used might thereby decrease the present volume of unemployment. On the other hand, from the point of view of security, it may be said with some authority that pre-war mortgagees have as a rule fared better than any other class of investor, for the vast majority have retained their capital intact and the increase in the rate of interest permitted by the last Rent Act has generally made this type of investment a safe and reliable security. The important exception to this statement must, however, be made in relation to loans on working-class properties—rent strikes, irregular payments, mainly through unemployment, the bad habits of certain tenants have, it is stated, weakened public confidence in this class of security. If the Act was immediately repealed, and there was absolute freedom to call in mortgages, especially in the cases of small weekly properties, it is impossible not to contemplate that it might well mean to many people severe loss, and in many cases bankruptcy.

#### OWNERS AND THE QUESTION OF REPEAL.

When the Salisbury Committee reported on the Rent Restriction legislation in March, 1920, it is significant to note that they record that the witnesses they heard, including those representing the owners, were unanimously of opinion that the Acts should not be allowed to lapse, and whilst to-day owners would not be so unanimous, it is to be observed that the President of the Property Owners' Association, in a recent address to the Association, observed (*The Property Owners' Journal*, August, 1922), "that he did not propose to say whether they were in favour of the Act or not, but he would say they were not satisfied with the Act in its present form."

#### RENT COURTS.

A suggestion has, however, recently been publicly made to abolish the Act and establish Rent Courts up and down the country. As regards

this proposal it may be said that difficulties are not removed by simply setting up a Rent Court, for a Rent Court would have to administer principles of law, whatever they might be: it could not be left to the individual judgment of such a court; and another elaborate, complicated and difficult statute would be necessary even if the principles to be embodied therein could command a sufficient measure of support to ensure its passage through Parliament, which is exceedingly unlikely. Rent Courts would undoubtedly mean most controversial legislation, grave difficulties in administration, and the addition of a large number of officials to an already over-burdened country.

#### THE BUSINESS OF PARLIAMENT.

The conclusion which may well commend itself in the light of the experience of the operation and administration of the Rent Restrictions Act is that it should be the business of Parliament not to seek to substitute permanent legislation of this character for the Act, but as speedily as is reasonably possible to repeal the statute entirely. Further, that owing to the continuance of many of the abnormal conditions which necessitated the introduction of this legislation, certain protection should continue to be afforded, say—for a further period of two years—but that various curtailments and modifications should now be made in the direction and with the object, if the facts then warrant it, of the termination of the whole measure in 1924. At the same time, in the necessary Amending Act the opportunity should be taken of remedying and adjusting certain injustices and inequalities that have revealed themselves in the operation of the present law.

#### THE MIDDLE CLASS AND THE ACT.

A suggestion that is being strongly urged is that the Act should be so curtailed as to give protection only to the houses that came within the scope of the "1915 Act"—rentals roughly up to £35 in the Metropolitan Police District and £26 elsewhere. All houses would, of course, in such an event, with rentals above these amounts, be subject to the ordinary law, and would lose all the present safeguards. This might in reality be a drastic curtailment of the Act at the expense of the middle class. It is confidently asserted by many social observers that at the present time the vast majority of working-class tenants are paying rents up to the full capacity of their wage-earning power, but if the houses now occupied by the middle class were made "free," it is this particular class who could perhaps least afford it to-day, and that might well be "squeezed" the most, and their rents considerably raised, and other onerous conditions imposed upon them. If this method to relax the provisions of the Act is to be adopted, it should, if it is submitted, in order to avoid hardship and unfairness, be only in respect of houses at rentals far in excess of the amounts hitherto suggested. It may well be that modification and relaxation should come, however, in other ways rather than by methods which, rightly or wrongly, may be described as "class" legislation.

It is submitted that in the directions hereafter referred to, the Committee might well consider whether the Act might not be considerably curtailed having for their object, by stages, the ultimate repeal of the measure.

#### THE CASE OF THE SMALL OWNER.

The especially hard case of the small owner, who having invested his savings in the purchase of a house, but is unable to get possession, whilst his tenant or tenants enjoy all the protection of the Act, certainly urgently calls for sympathetic consideration. In a large number of cases the purchaser is still waiting and has waited for many years to obtain possession of his house which in a number of cases is occupied in part by persons making a large profit out of the property. It would appear well worthy of careful examination whether all restrictions should not be removed in the case of a "one-house owner" which prevent him from obtaining possession for his own occupation.

#### THE HOUSING OF EMPLOYEES.

Relief might also be afforded by removing restrictions on obtaining possession in the case of employers who provide housing accommodation for their employees and are unable to secure it for this purpose. In a time when every industry should be encouraged in every legitimate way, the restrictions now in force in such cases, it is contended, have not only been hampering to employers but in some instances have added to the unemployment problem.

#### PROTECTION FOR BONA FIDE OCCUPIERS ONLY.

The greatest abuse of the Act, it is strongly urged, has been in connection with what is regarded as the undue and unfair advantage obtained by statutory tenants, not in possession of the property, by letting to tenants at a large profit whilst the owner has to be content with his statutory rent, often not sufficient to pay even his outgoings. An unfair and often unusually heavy burden for repairs and renovation is thereby often cast upon the landlord whilst a statutory tenant selling his statutory rights for a considerable sum is not uncommon. It would appear the landlord has little or no remedy under the existing law. It is submitted with some reason, that no lessee or tenant of any house coming under the Act should be able to claim the benefit of it if he is not in actual *bona fide* possession of the premises.

If these suggestions were adopted the operations of the Act would certainly be curtailed in important particulars and certain grievances removed, without, it is conceived, involving to any large degree a number of persons in further housing difficulties. Certain of the provisions of the Act itself, in the opinion of both owners and tenants, undoubtedly require amendment.

#### EXTORTIONATE PREMIUMS.

A more effective remedy for dealing with the imposition of extortionate premiums on prospective tenants of houses and flats has been widely demanded. There is a large body of evidence that under the pretext of a demand for the purchase of furniture and fixtures (often a few curtains and a little oilcloth) premiums are being, as a condition of the letting, openly demanded in many cases half a dozen times the value of the goods. The best that perhaps can be said about this pernicious practice is that it is not apparently quite so extortionate in its exaction as say two years ago, when flats for instance, it is repeatedly stated, were taken and filled with cheap furniture on which a big profit was made. *The Times* gave quite recently the experience of a house hunter in London and the following actual cases were cited:—

Paddington—First floor, one reception, one bedroom, rent £45; furniture £300.

Maida Vale—Second floor, one reception, three bedrooms, kitchen and bath; rent £75; furniture £300.

Kensington—Six-roomed house, repairing lease; rent £75; premium £50.

Maida Vale—Mansion flat, one reception, two bedrooms, kitchen and bath; rent £80; furniture £275.

The Rent Restrictions Act expressly forbids the imposition of premiums of any kind in case of tenancies for less than fourteen years, and a person contravening the section is liable not only on conviction to a fine of £100, but to repay any consideration he may have received, but the parties to these transactions naturally do not put the law in motion. It may be if the agents of either landlord or tenant who were parties to such transactions were also made liable to these penalties that the law might more generally be observed.

#### SUB-LETTINGS.

The cases where lessees who are in actual occupation of part of the premises have sub-let the greater part of them at a substantial profit have now, it is common knowledge, reached considerable proportions. The landlord has had to be content with the rent allowed by the Act, and, further, has had a heavy burden of repairs cast upon him as a result of the action of his lessee. In such cases it is generally admitted the landlord is not being treated fairly, and the proposal is made that he should be entitled to an increase of rent of a definite amount, where, say, a house is in the occupation of more than one family, or as an alternative that he should have the right of asking the County Court Judge to fix the amount he should receive having regard to the rent his lessee is receiving and the particular circumstances of the case.

#### THE FAILURE TO REPAIR PROPERTIES.

In this connection and on the matter of repairs of property generally, it is to be noted that there is some evidence that the present obligation as to execution of repairs being a condition of payment of higher rents is not being sufficiently enforced. One of the evils of the Act, it is contended, has undoubtedly been the fact that in many cases repairs have not been executed owing to the limitation in rent, with the result that never probably in modern times, it is freely stated, has property generally been in such a bad state of repair, and the consequent results may well be of a far-reaching nature. In this connection the limited interpretation placed by the Courts on what are structural alterations or improvements within the meaning of the Act have no doubt played some part and require further attention.

#### MUDDLED NOTICES.

Two important decisions on the interpretation of the Act will no doubt receive the attention of Parliament. The first to the effect that a notice to quit must be given as precedent to an increase of rent under the Act has created a grave situation, especially in Scotland, and will, unless reversed by the House of Lords, have to be dealt with. Muddled notices, indeed, as cases in the Court confirm, have been generally common and a very large percentage of notices of increase of rent, no doubt, have been bad largely owing to the complicated nature of the increases in rent that may be enforced. The fact that a notice is invalid if a greater increase is demanded than the Act permits, has, it would appear, enabled tenants in a large number of cases to continue for some time in their tenancies, without payment of rent, and a simplification, if possible, in the matter of notices is certainly desirable.

#### SERVICE FLATS.

The provision of the Act not applying where rent includes payment in respect of board, attendance, or use of furniture, and the varying decisions on the question of the interpretation of "attendance," have resulted in a large number of service flats, particularly in London, ceasing to be under the protection of the Act, and in the opinion certainly of the tenants, contrary to the intention of Parliament. In a number of cases where the "attendance" has been limited to the collection of dustbins and the occasional sweeping of a common staircase, advantage is sought to be taken of the present state of the law, notices to quit have been served accompanied by notices of large increases in rent. It is, tenants state, not an uncommon case of renewals only being offered in such cases at rentals from two to three times the amount of the original rent. A fair and full definition of "attendance" may be desirable in any amending Act which will prevent undue advantage being taken of legal decisions of this nature.

#### THE REAL SOLUTION.

Finally, it is desirable to state that the real and permanent solution of this tangled and difficult problem is not by way of restrictive Acts of

Parliament the variety obtained and expected mark no 218,000 a real in further an unpro a terrible stances private l suitable therefore Governm number not treb to call t certainly for the and pain magnitud had prov definite o was offic recorded are lower we are b builder. purchas requirem especiall dation w and all s ditions. of the R contende book, bu reluctant sively in sufficient that ther in the co debate ble well prov We ma of the res to indicat and consi and tena sharp pr A discus Mr. W necessity mortgage for actual legatees Sir Ch. solicitors Parliament should be should be practically be limite provided coming t mere pos that subs spend mo on, and should be The buil breach of The di DUCKERS Tyne), M (London) (Bradfor though t amendme Mr. R. would ve There nee The Pr subject of the vacat Sir Charl which ha the Act.

Parliament, but by the ample provision of housing accommodation for the varying needs of all classes of the community. How best can this be obtained? With the Government decision to end the most ambitious and expensive State-aided housing scheme in history, it is possible to mark not only the success and failure of a project which will provide some 218,000 houses at a cost of some 190 millions of money, but in the light of a real and hard lesson to briefly consider how we can turn it to account in furtherance of better housing for the nation. The State effort has been an unprecedented one, equalled by no country in the world, sustained at a terrible cost, but it must be judged in the light of the unparalleled circumstances which prevailed. There was then, it is too often forgotten, no private builder in any part of the country who could build houses at a rent suitable for the working classes without State assistance. The State, therefore, had to step in and it might well have appeared to many that the Government were, as a consequence, in the market for an almost unlimited number of houses. Everything that went to make a house doubled, if not trebled, in price; Associations, combines or rings, as we may choose to call them, had full play. Output was uncertain, for workmen were certainly not prepared (to put it no higher) to work harder than on housing for the State or the Municipality. The Municipal houses rose slowly and painfully, and by this means the £1,100 house was reached—the very magnitude of the scheme, with its almost unlimited financial assistance, had proved a temptation to many that could not be resisted. In July a definite decision to limit the present scheme to 218,000 State-aided houses was officially announced. A miraculous and gratifying change can be recorded—money is cheaper, rates of interest are falling, prices of materials are lower, rings and combines have been broken up, there is a better output, we are well on the road to economic rents and the restoration of the private builder. People, we are told, are beginning to realise the advantage of purchasing a plot of land and have houses erected to meet their own special requirements, and a number of these are being erected by private builders, especially in London suburbs. In the interests of ample housing accommodation we should uphold the policy of encouraging private enterprise, and all steps that will speedily bring about the restoration of normal conditions. In this last respect the ultimate removal from the statute book of the Rent Restrictions Act cannot be left out of consideration. It is contended that so long as the Rent Restrictions Act remains on the statute book, builders and would-be investors in property are apprehensive and reluctant (perhaps also fearing further State interference) to engage extensively in house building. It is true, on the other hand (and not always sufficiently appreciated) that the Act does not apply to new houses, and that therefore the advantage is, with insufficient housing accommodation in the country, on the side of the builder to-day. It is a difficult and a debatable question, and the building operations of the next two years may well provide an answer.

We may, however, in some degree bring about the desirable consummation of the restoration of normal conditions, not only in the ways I have ventured to indicate, but what is equally important to-day, by encouraging goodwill and consideration of each other's difficulties on the part of both landlords and tenants and also by discouraging all attempts at evasion of the law, sharp practices, and an undue and unfair insistence of technical rights.

A discussion followed, in the course of which

Mr. W. H. NORTON (Manchester, a member of the Council) urged the necessity of the removal of the vexatious restrictions on the calling in of mortgages, at all events where the amounts of the mortgages were required for actual distribution. Enormous hardship was being inflicted on poorer legatees and beneficiaries. Every solicitor must know of innumerable cases.

Sir CHARLES MORTON (Liverpool, a member of the Council) urged that solicitors should do their best to influence their respective members of Parliament with the view of getting rid of the Act. The present Act should be repealed altogether—it should not be amended. Any new Act should be limited to the class of property to which the Act of 1915 extended, practically the housing of the working classes; and any new Act ought to be limited to two years—possibly to one. More houses would never be provided unless the private builder was definitely assured that the Act was coming to an end and that freedom of contract would be restored. The mere postponement remedy was no remedy at all. They would all agree that subsidies were pernicious, but the local bodies ought to be allowed to spend money in road-making, sewerage, the development of fields, and so on, and the private builder would then be glad to build. Any new Act should be final, and a pledge should be given to the builder to that effect. The builder should have his remedy against the State if there was any breach of the arrangement.

The discussion was continued, among the speakers being Mr. SCOTT DUCKERS (London), Mr. SHAW (Leith), Mr. ROBERT PYBUS (Newcastle-on-Tyne), Mr. C. G. MAY (London, a member of the Council), Mr. S. SEALE (London), Mr. JACKSON (Leeds), Mr. CROMBIE (York), Mr. GREENWOOD (Bradford), and Mr. NUNN (Colwyn Bay), the general opinion being that though the Act should be continued, it would require very drastic amendments to be introduced into it.

Mr. R. W. DIBDIN (Vice-President, London), pointed out that the Act would very shortly expire unless something were done to keep it alive. There need be no question as to its repeal.

The President said he would promise on the part of the Council that the subject should have full consideration at their first or second meeting after the vacation. He might state that the Council had already authorised Sir Charles Morton to give evidence on their behalf before the committee which had been already appointed to consider as to the continuance of the Act.

Mr. ALEXANDER suggested that the operation of the Act should gradually be withdrawn by ceasing to apply it to the more highly rented houses, and that only dwelling-houses should be affected by it; also that where part of the premises consisted of a shop the Act should apply only to that part consisting of the dwelling-house.

#### THE PUBLIC TRUSTEE.

Mr. REGINALD ARMSTRONG (Leeds) read the following paper:—

I conceive that it is one of the purposes of the Annual Provincial Meeting to discuss questions of public interest in which our profession is directly concerned.

It is incidentally an opportunity of discussing our own grievances, but that aspect of matters does not enter into this paper. Our profession is and always has been fairly treated by the Public Trustee, and I believe that the Trustee and the legal profession work together successfully for the good of the beneficiaries of the trusts committed to the Trustee's care.

Again, every aspect of the affairs of the Public Trustee has been the subject of enquiries and discussion by many persons much more able and better informed than myself.

In a paper of reasonable length it is obviously impossible to deal with each question fully and in detail, and I shall content myself with a general survey of the office and the questions affecting it from its inception to the present time.

I am justified in assuming a knowledge of Trusts as they existed in 1906 and at the present time and of their origin and purpose. As you well know, the growth of the system of Trusts under our law was not a logical process. It was a matter of gradual evolution suited to the needs of our people, and in this respect is directly analogous to most of our legal institutions. It is a form of growth difficult to justify in principle, but wonderfully efficient in result.

To go back to 1906, it must be remembered that at the end of 1905 a new Administration had come into power with a big majority behind it, and anxious, according to its professed humanitarian principles, to redress every wrong by Act of Parliament, and this, in striking contrast to the previous Administration, which had been conspicuously sterile in legislation. We know now, how, as lawyers, we should appreciate an occasional holiday from perusal of new Statutes.

Further, the new legislators were professed admirers of the German system, whereby with exceeding efficiency a nation was catered for by governmental bureaux. If we have learnt nothing else from the late devastating war, it has at least taught us that the bureaucratic method is not in keeping with the psychology of our people.

Again, we were wealthy to an extent we never appreciated until now we have become poor, and could afford to experiment with social expedients, even though they might become a charge on State funds.

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G. H. MAYNE, Secretary.

From time to time there had been defalcations of trust funds, and seeing the great distress caused (in most cases to women and children) by such calamities, it was only reasonable that our legislators should look round for some scheme whereby the terrible effect of loss of trust funds could be avoided or minimised.

The natural result of such an enquiry would have been either—

- (A) To establish a State system of insurance, or
- (B) To create a State official as custodian of trust property, with powers of supervision sufficient to keep the capital fund intact, or
- (C) To authorise and encourage trusted private institutions to undertake either or both duties.

The insurance plan and the private corporate trustee could undoubtedly have been made self-supporting and need have cost the State nothing in money or anxiety.

The objection to insurance might have been that if the trustee were insured and his beneficiary safe in any case, there would have been less deterrent to breach of trust, but I think this would have been entirely counteracted by the certainty of punishment at the instigation of the insurer.

The advantage in the case of a private corporate trustee or insurer would have been the existence of an establishment all ready to hand in every considerable town in the Kingdom with officials in personal touch with the local inhabitants.

However, the Government preferred the State system, and at the same time considered that it should go further than was merely necessary to protect the capital fund and establish a public official who should act as trustee.

As you will see later, duties never before undertaken by private trustees, as such, have been assumed by the Public Trustee, such as undertaking the management of large real estates, collecting rebates of income tax, and other duties. It is doubtful whether the Statute contemplated any such extension of the office.

It has been stated that there was a public demand for such an official. It would be difficult to establish the correctness of such a statement. In the first place, it could hardly be direct, as the people most interested were women and children, who at that time had no vote, and therefore could not make themselves felt at an election, and it is hardly likely that such of the public as were not interested in trusts would be so altruistic as to press the matter very enthusiastically. It would possibly be more nearly correct to say that a number of Members of Parliament felt that it would be a good thing and supported the measure they thought best suited to the purpose, but this is not usually called a "public demand."

In this case also the eligibility of banks and insurance companies does not seem to have been appreciated.

A further matter which is to my mind a crying and subsisting evil has never seemed seriously to engage the attention of legislators. As you know, unless he be given some remuneration by the document creating the trust (a matter frequently neglected by settlors and testators), a trustee is not allowed to be paid for his services, on the principle that it might put his interest in conflict with his duty. The law stupidly puts it in his way to scamp his duty as a trustee rather than that he should be reasonably paid for performing such duty properly. If, apart from the document creating the trust, a trustee were able legally to claim some reasonable remuneration for his trouble, there would be less difficulty in inducing men of substance and ability to accept the office and give the requisite time and attention to performing it properly.

However, the Public Trustee Act was passed, and provided that the Public Trustee where appointed should undertake the duties usually performed by a trustee, and that its fees should be calculated to cover its expenses.

There are many objections inseparable from the carrying on of private affairs by a Government office, whilst in this case others have come about by reason of the modern methods adopted by such offices.

The first and chief objection is that there is not the usual incentive, felt so strongly by the man in private life, that the office must work on an economic basis. The zealous official merely feels that he must do the job properly, according to his lights, whatever it may cost, and if the prescribed fees are not sufficient, they can always be increased or the loss charged on the Revenue.

The second is that the maintenance of a Government Department is in the nature of taxation, whether it be paid directly by the person receiving the benefit or by the general community. In either case, it goes to the support of a department of civil servants which it is practically impossible to dis-establish if the need for it ceases or decreases or is too costly for the

economic state of the country. I understand that the Public Trustee was put on the Civil Service establishment in 1915.

Nevertheless, the Public Trustee commenced with a reasonable scale of fees, although, even so, it naturally made a trust in his hands much more expensive than one worked by a gratuitous trustee and it was fortunate in its appointment of Mr. Stewart as the first Trustee. He was a man of abounding energy, with a great faith in his office and ability and determination to push it. In fact, he became a great propagandist. Development in this direction and by such means was not entirely a new departure for a public office, but it was in this instance more effectively and successfully carried out.

I see no reasonable objection to a public official, with faith in the work he is doing, making his office and its purposes and advantages known by any legitimate means. He should, of course, be more careful than others that his propaganda is truthful and fair, and he should not be impatient of others who in a similar manner state their view of his functions. This latter point does not always seem to have been realised.

In the first two years of its existence small losses were made in the Public Trustee Office, and thence until 31st March, 1916, comparatively small profits, whilst the trusts increased, until at the latter date the total administered were of a value of £77,420,488.

Thence ensued a period of disastrous losses commencing with £3,092 and culminating in a loss of £98,537 in the year 1920-21.

There seems to be a distinct course which modern public offices inevitably follow and that of the Public Trustee is no exception.

Roughly (unless they are a complete failure) they begin by attracting a large and growing amount of business assisted, and properly so, in my opinion (when kept within bounds), by a system of propaganda. Unchecked by economic necessity, they set up an immense salary list. The costs for some such reason rise until they cannot be met by the fees. Then the office looks round for some profitable piece of work, allied to its own, which can be incorporated. The profitable department, once annexed, is used to camouflage the loss on its proper work. The reports of the Department become a means of making the most of the good years (such reports generally finding their way into the public press) and of excusing the bad ones. Then the fees are raised, and finally (but this stage has not arrived in the case of the Public Trustee, and it may never arrive) by way of making the department a complete success, its services are made compulsory.

I have already spoken of the advertising of the office, but there is an aspect of this Department which is very striking. Whenever there is any criticism it is immediately and ably answered with such rapidity that it would suggest that in addition to its other skilled assistants there is a sub-department of publicity. A striking instance has been the recent correspondence started by Mr. Garrett, a member of our Council, stating his views in *The Times* when finally so eminent an advocate as the Lord Chancellor characterized the statement of his views (some of which are incontrovertible, and all are honestly held) as an attack on the department.

Another singular instance of what I say has occurred quite recently. On the 28th July there appeared in the financial columns of *The Times* a statement shewing that in an actual case of sale and re-investment of trust stock the cost had amounted to 16s. 1d. per cent. on the amount involved, and pointing out that such a charge was exorbitant, especially as the Public Trustee was an executor and received other fees for administration. The very next day, the 29th, there appeared in the same journal the ridiculous official explanation that as the transaction was a sale and purchase, the capital amount involved was roughly double that stated, and that therefore the charge was 8s. 0½d. per cent. instead of 16s. 1d. per cent. as stated.

The growth of salaries and the setting up of sub-departments I will mention later when I deal with the Report of the Lord Chancellor's Committee.

The annexation of other work more or less naturally flowed to the Public Trustee during the war, when he was suffering from shortage of staff, increased costs and large annual losses. A Custodian of Enemy Property was required, and the Public Trustee was at hand, and thus secured a profitable class of business to set against his losses, thus avoiding the charge on Revenue which his Department would otherwise have created. How amalgamation of this sort, absolutely justified in itself, may be, in fact, a mistake, will more clearly be shewn when later I mention the Report of the Geddes Committee.

As to the reports of the Department, it would be instructive if everybody would get them and read, at all events, the portions other than the tabulated matter, and especially the last one, which has attempted the difficult task of shewing that trebling or quadrupling of fees, whilst enabling the Department to expect to cover its cost, will not affect the obtaining of new business.

On the 3rd April, 1919, a Committee was appointed, consisting of The Right Hon. Sir George H. Murray, G.C.B. (Chairman), Mr. Henry Bell, The Right Hon. Sir Willoughby Dickinson, K.B.E., Mr. Samuel Garrett, and Sir William Plender, G.B.E., with Mr. Percy Lee as Secretary—

"To enquire into and report upon the organisation of the Office of the Public Trustee, with special reference to the steps to be taken for dealing with the rapid increase in the volume of work, to the number, qualifications, duties and salaries of the present and future staff, to the questions of policy and administration involved in the establishment of local offices in the provinces, and to any alterations in the scale of fees which may be rendered expedient by the result of the foregoing general and special enquiries or otherwise."

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It is impossible to give in a paper like this more than the merest outline of the effect of the Majority and Minority Reports of the Committee. Suffice it to say, that it is a most interesting and instructive document, and would well repay perusal.

Mr. Garrett found he could not agree with the findings of the other members of the Committee who joined in the Majority Report, and he therefore wrote a Minority Report.

All the members of the Committee seem to have agreed that whilst the Public Trustee was given by the Statute creating his office the duties of an ordinary trustee, he had, in fact, gone outside such duties to the extent of having at his disposal within his own walls independent experts capable of criticising and possibly correcting or supplementing the advice received through the ordinary channels available to the private trustee.

The Majority considered that, seeing that the Consolidated Fund was at the back of the Trustee, his proceedings should be conducted with greater care and with more competent advice than could be expected of a private trustee, that such was, indeed, the view of the Department, and that the public naturally expected and were entitled to receive such superior assistance and advice. Mr. Garrett disagreed, and was of opinion that the Public Trustee should, like every other citizen, keep within the law as laid down by Statute for his guidance and act on the same lines as the private trustee.

The Statute directed that the fees to be charged should be arranged from time to time so as to produce an annual amount sufficient to discharge the salaries and other expenses incidental to the working of the Act (including such sum as the Treasury might from time to time determine to be required to insure the Consolidated Fund against loss under the Act) and no more.

It was common ground that the above-mentioned policy had caused the cost of administration to tend to exceed the estimates originally framed.

The principal sub-Departments in question and their annual cost were as follows:—

Title of Branch.	Present annual cost including War Bonus. £	Future annual cost estimated at mean of the scale. £
1. Legal Adviser's Branch ..	4,523	6,562
2. Legality of Investment Branch )		
3. Financial Adviser's Branch ..	3,071	7,903
4. Surveyor's Branch ..	2,851	4,756
5. Property Branch ..	6,381	6,827
	<b>£16,826</b>	<b>£26,048</b>

Other grounds for the unfortunate financial result were the war and consequent increased salaries and provision for pensions.

The above difference of opinion resulted in diametrically opposite conclusions. The Majority recommended an increased scale of fees, which it was not disputed would in some cases treble and in others quadruple the charges against estates in the Trustee's hands, thus putting the Department again on a paying basis.

Mr. Garrett did not believe that the public expected more from the Trustee than was required of him by Statute, and that, in fact, up to that Report, the public, and even professional men engaged in the management of trusts, did not know that any other practice existed. He recommended that the Department, having attempted to do a quantity of work not intended by Parliament which it was unable to do efficiently and which it was not paid for doing, should cease to do or attempt to do such work if disaster was to be averted.

It was agreed that the Department was, apart from the above-mentioned special Departments, inadequately staffed, and Mr. Garrett approved of some reasonably increased fees.

One other point, brought out clearly, was that the Custodian Trustee part of the business had not prospered, and in fact at 31st March last there were only 107 cases of a total capital value of £1,659,156 against a total of 11,286 ordinary trusteeships of a total capital value of £96,938,647, and out of a grand total of 19,165 cases of a total value of £186,129,083.

The reason and his comment thereon is shortly stated in Mr. Garrett's Report as follows:—

"The Public Trustee and members of the staff who have given evidence before us have admitted that the use of this section by intending testators and settlors has, to say the least, not been encouraged. The view was expressed that the section was unworkable because Sub-section (2) (d) of Section 4 makes the Custodian Trustee liable for breaches of trust, and therefore an investigation by him of all the proceedings and accounts of the managing trustees is necessary before he concurs in any of their acts, with the result that he has practically all the same trouble and responsibility as the managing trustees, while in the case of the Public Trustee he only receives half fees. My colleagues have adopted that view, but having regard to Sub-section (2) (a) of Section 4, I cannot think that it is correct. It seems to me that all the Custodian Trustee has to do before concurring in the acts of the managing trustees is to obtain from them a written statement of the facts, and in cases of legal doubt a written opinion on the law, and that he may safely act on such statement and opinion without incurring any responsibility if either the statement or the opinion should turn out to be wrong."

A further matter of interest to practitioners was that apparently one absolute essential to the proper management of a trust, namely, that some one person should have supervision of it and personal knowledge of all

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appertaining to it had been neglected. To me it seems absolutely marvellous that this Department should have been working for thirteen years and not have grasped this elementary fact, but that such was the case is evidenced by the following sentence from the Public Trustee's thirteenth Report, namely:—"I sincerely hope that in the near future every beneficiary will be able to feel that there is someone in the office who thoroughly understands his or her affairs."

Lastly, the Majority, whilst contemplating that if the practice of the office were changed settlors would have ground for complaint, and would probably desire to withdraw, do not seem to have feared, or at all events have not expressed their fear, that the same desire would be caused by an enormous increase in fees. To me, it seems only just that beneficiaries should have the right to withdraw in such circumstances.

With regard to the sub-Departments above mentioned, I would like to make a few remarks from the view of the country practitioner.

I know, for instance, that the additional charge (now in force) of 10s. per cent. for the Public Trustee on transfer of real property will be considered an imposition and is out of all proportion to the charges of the other professional men engaged in the transaction and who do all the work.

Again, the Public Trustee, in addition to charging a commission himself is allowed to divide the broker's commission on transactions in stocks and shares. It is not necessary for me to point out to you the undesirability of such a practice which results in burdensome charges on estates and gives the Department a direct interest in multiplying transactions and is a bad example to private trustees and their solicitors. As you are aware, a solicitor is not entitled to do both, he may either charge or take a share of commission, and if the latter is the practice, the broker, to avoid penalties under the Prevention of Corruption Act, must state the fact on the contract note.

In practice, a separate accountancy department must be very expensive and cause delay in administration. The ideal manager of a trust is one with full knowledge of the legal position of the trust and with sufficient experience of figures to do all the ordinary calculations, such as apportionments and division accounts on distribution, himself or by his immediate staff, leaving intricate accounts in the hands of a professional accountant. The size of the estate has little to do with the matter, as large estates may be absolutely simple and small ones of the greatest intricacy.

May I presume to give a word of advice to our friends the professional accountants as to preparation of trust accounts. Of course, accuracy and proper scientific arrangement of the figures is necessary, and in the hands of every competent professional accountant is always obtained, but the accountant should work in the very closest touch with the solicitor and the trustee and understand the purpose of the trust transactions almost as well as they do, and that in consequence the sub-division of the accounts and the information conveyed by each open account should be such as to convey to a layman a clear idea of how the various parts of the trust stand at any moment. I have a fair knowledge of accounts, but I have been through trust books which were a perfect puzzle and have seen accounts emanating from the Public Trustee Office in a comparatively small trust which covered a tremendous area of tabulated matter but were absolutely incomprehensible to anyone but a skilled accountant. One thing which clearly would conduce to the clearness would be a sufficiently full entry in every case to make it fully self-explanatory. I know such is not the practice in commercial book-keeping, but it is a necessity in trust books.

Since the above-mentioned Report of the Lord Chancellor's Committee, the fees have been increased in accordance with the Majority Report and various amendments made in the practice of the Department.

Since the increase, two annual Reports of the Department have been issued. The first being for a year in which the increased fees only applied partially, was no guide to the effect of the increase; but the increase applied to the whole of the year 1921-22 and the experience of the office, if a special windfall of an estate of £6,000,000 or £7,000,000 be excluded, shewed a very considerable drop in every department as compared with 1919-20, the last full year to which the old scale applied,

A comparison with 1920-21 would be futile as each scale only applied to part of the year. The comparison is as follows:—

Ordinary trusteeships.			Executorships and administratorships.		Total cases including foregoing and custodian trusteeships, compensation cases and miscellaneous.	
No. of Cases.	Value.		No. of Cases.	Value.	No. of Cases.	Value.
1919-20	1,026	£9,835,472	693	£11,560,462	1,949	£21,464,226
1921-22	553	£6,756,358	493	£6,601,798	1,136	£13,464,383
Loss per cent. in later as compared with earlier year.	46%	31%	29%	42%	42%	37%

A very considerable amount of correspondence has taken place in *The Times* between Mr. Garrett, the Majority members of the Committee, and the Lord Chancellor, in which the first-named contends that the accounts for 1920-21 contained indications that a drop in business would be caused by the increase of fees, that such decrease in business would be progressive and would eventually be the ruin of the department. The other gentlemen hold the opposite view.

Having read the correspondence, I agree with Mr. Garrett that there is no other definite reason to which the drop in 1921-22 can be assigned, but I am not convinced that such recent decrease is directly in consequence of increase of fees.

When you consider the infinite difference between management of a trust by a first-class competent private trustee and his solicitor, and compare it with the management of a similar trust by a "clerk in charge" in the Public Trustee office, or the manager or sub-manager of a bank, there must be a limit to the number of settlors and testators who prefer department management. The Public Trustee has now so large a capital under his care that the limit may be approaching, and when such is the case the accession of new business will tend to be more irregular.

Further, the ignorance of the public as to anything but the actual existence of the office is very great, and many appointments are made without considering the cost. A settlor or testator is not, in the majority of instances, legislating for himself, but for the beneficiaries, and he is much more concerned as to safety than the cost of administration.

However, there must be a large number of cases where full enquiry is made. In my own practice, I only remember one such enquiry in a large continuing trust, which cannot end during the lifetime of the present trustees. There was a firm intention of appointing the Public Trustee, but on my working out his charges, according to the then scale, it was at once rejected, and this by one of the shrewdest and wealthiest men in the North of England.

Even so, I don't think that in the long run the Public Trustee can live against the banks and insurance companies with a scale treble or quadruple theirs. Whether the time be long or short, the result is economically certain. The security is as good, the services are or could be made as good or better, and they have the advantage of being already established for the purpose in every locality where business could be obtained. I am convinced that if the banks and insurance companies gave their local representatives instructions to secure trusts wherever possible, and undertook for that purpose a propaganda campaign, the Public Trustee with his present scale of charges would be doomed within a very few years.

The only further notable incident with respect to the Department is that it came within the purview of the Committee on National Expenditure, and was the subject of what is usually known as the Geddes Report.

That Report estimates the deficiency for 1921-22 at £70,000, and for 1922-23 at £61,000. It points out that the recoupment from the work as Custodian of Enemy Property turned the deficiency into a profit, and that it was an unsatisfactory arrangement which concealed the fact that the Public Trustee work proper was being conducted at a loss and states that, if the position were really going to be as serious as the estimate for 1921-23 suggested, they would have considered recommending the abolition of the Department as they deprecated a State subsidy to a Department which renders legal services to private individuals.

The Public Trustee, however, presented a revised estimate showing only a loss of £50,000, and foreshadowed that with a reasonable intake of new business he could eliminate the deficit. At the same time, he was strongly of opinion that any increase of fees would only drive away business, and would increase rather than reduce the present deficit.

In the circumstances, the Geddes Committee recommended that the plan proposed by the Public Trustee should be given a trial for the year 1922-23 on the understanding that he would effect such reductions of expenditure as would enable him to attain and preserve the equilibrium which he anticipated of expenditure and revenue on his Public Trustee work proper.

Finally, whilst in taking up the history of the Department a certain amount of criticism must of necessity ensue, yet it must be admitted that the office is doing a great and important work and it would be idle to say it was not filling a public need when the capital funds already administered are nearly £190,000,000, the beneficiaries over 50,000, and the actual number of trusts over 13,000.

Threatened as it is by the Report of the Geddes Committee, would it not be better for it to return to its own proper work of acting as Trustee only, scrap its expensive departments for critiquing, correcting or supplementing its outside advisers, and thus in the only certain way get back to a reasonable scale of fees, and to a balancing of expenditure and revenue so absolutely necessary at the present time for national as well as departmental reasons? It would be a thousand pities if this Department pursued a course which would lead to inevitable bankruptcy.

Should the Trustee work be found impossible to maintain, it would still be advisable to continue the work as Custodian Trustee, which, although the only proper concern of the Government, is admittedly cold-shouldered by the Department.

Mr. E. A. BELL (London) contended that the Public Trustee was doing an important service. He had £196,000,000 at his disposal and the work of his office was carried on by a competent staff. It was to the public benefit that the office should continue to exist.

Mr. OSBORNE said he differed altogether. As the paper said, the Geddes report stated that the Public Trustee work proper was being conducted at a loss and that if the position were really going to be as serious as the estimate of 1921-23 suggested, they would have considered recommending the abolition of the Department, as they deprecated a State subsidy to a Department which renders legal services to private individuals. How could one go behind that? Was it fair to carry on a State Department and allow public money to be used for the purpose of giving a subsidy to private individuals? There were other methods of safeguarding trusts, such as insurance, without bolstering up a State Department with public money. The fees charged by the Department rendered it unfair—he would not use a stronger word—for a professional man to advise his client to make use of it.

Mr. CARLILE DAVIS (Plymouth) said that the money lost annually through default of trustees did not approach in the least the £50,000 a year which the office cost. It was a trading Department supported out of Government funds, and it ought not to be subsidised.

Mr. EDWARDS (Liverpool) asserted that the lack of layman trustees was due to the fact that large demands were made upon their time and trouble for which no remuneration was provided. A trustee ought to be in the same position as, say, a trustee in bankruptcy, and should be properly remunerated. He would then give the best of his time and services to the office and the standard of the work would be considerably raised.

#### SETTLEMENTS UNDER THE LAW OF PROPERTY ACT.

Mr. EUSTACE J. HARVEY (London) read a paper on this subject of which only a synopsis had been printed.

Several members objected that solicitors knew at present very little about the Act, and that as the paper had not been printed they were not in a position to say anything with regard to it.

The President conferred with Mr. Harvey, and it was understood that that gentleman declined to permit the paper to be printed.

Mr. R. C. NESBIT (London, a member of the Council) said that as the members had not had the opportunity of reading the paper and Mr. Harvey could not be persuaded to allow it to be printed, it was difficult to discuss the subject. He moved that the meeting proceed to the next business, and this was unanimously agreed to.

(End of Tuesday's proceedings.)

#### BANQUET.

A banquet was held in the evening at the Queen's Hotel, Mr. H. E. CLEGG (President of the Leeds Law Society) occupying the chair. Among the guests were Sir CLAUD SCHUSTER, K.C., Mr. J. A. COMPTON, K.C. (Recorder of Leeds) and the President of the Law Society.

Mr. E. O. SIMPSON (Leeds) proposed the health of "The Lord Chancellor." Sir CLAUD SCHUSTER, in responding, said he wished to recognise how greatly the Lord Chancellor was indebted to the assistance given to him by the Council of the Law Society, and to say that the present President had done a great deal of work for the Lord Chancellor and the State; and that his gratuitous work in this way ought not to be forgotten. It was such work that enabled the State to carry on. No one had given better service to the State than the successive Presidents of the Society. He observed that the Lord Chancellor was at present engaged in preparing a Bill for the consolidation of the Judicature Acts, as well as a Bill for placing the Crown as litigants in the same position as that occupied by private parties so far as procedure in the Courts was concerned.

Mr. R. W. DRBDIX submitted the toast "The Judiciary." Mr. J. A. COMPTON, K.C. (Recorder of Leeds), in returning thanks, referred to the fact that he had practised as a solicitor in Leeds before being called to the Bar and he could bear testimony to the value of the education he had received in that branch of the Profession.

The remaining toasts were "The Law Society," proposed by Mr. E. H. CLEGG (President of the Leeds Incorporated Law Society), the President responding; "Our Guests," submitted by Mr. C. E. WARREN, the LORD MAYOR of Leeds and Sir MICHAEL E. SADLER, C.B., LL.D., Litt.D. (Vice-Chancellor of Leeds University) replying; and "The Incorporated Leeds

Law Society," proposed by Mr. DAVID LITTLE, J.P. (President of the Leeds Chamber of Commerce), Mr. CHARLES SCRIVEN, LL.B. (Hon. Sec., Incorporated Leeds Law Society) returning thanks.

Mrs. COPSON PEAKE received the ladies attending the meeting at the Queen's Hotel, many of whom afterwards entered the banqueting hall and listened to the speeches.

### Wednesday's Proceedings.

The meeting was resumed on Wednesday, the PRESIDENT again occupying the chair.

#### BANKRUPTCY AND LIQUIDATION OF COMPANIES.

Mr. E. LESLIE BURGIN, LL.D. (London) read the following paper entitled "Conflict of Laws relating to Bankruptcy and the Liquidation of Companies, and the need for a Special Tribunal," which we hope to print later.

Mr. BUTCHER (Bury) suggested to the Council that the paper should be brought to the notice of the Associated Chambers of Commerce, with the object of obtaining some remedy for the state of things which at present existed.

Mr. SIMPSON (Leeds) spoke of the difficulties which prevail. He said that, so far as France was concerned, if care was taken to get the official liquidator appointed in this country it would be found that those concerned were not averse to recognising the English title. But the whole matter raised a very serious question for the commercial community.

Mr. CHARLES SCRIVEN (Leeds, a member of the Council) gave illustrations of the difficulties attending the present practice, especially in regard to the Channel Islands, with the result that the Englishman whose capital was invested in companies there found himself entirely in the hands of the Court and nothing could be done without an order of the Court. He agreed that the Society ought, in the interest of the trading community, to press the subject upon the attention of the Associated Chambers of Commerce, with the object of obtaining legislation in the near future governing the rights of the English creditor.

Mr. YOUNG (Glasgow) and Mr. GOODALL (Leeds) continued the discussion, the latter gentleman expressing his belief that it would be better to leave the matter alone. (Hear, hear.)

#### DEPARTMENTAL ADMINISTRATION.

Mr. W. B. COCKS, LL.B. (Nuneaton) read a paper on this subject which we shall print hereafter.

Mr. E. J. HARVEY (London) and Mr. S. SEALE (London) took part in the discussion which ensued.

#### LEGAL EDUCATION.

Mr. W. B. GORDON (Bradford) read a paper entitled "The Development of Legal Education," which we hope to print hereafter.

Mr. J. J. D. BOTTERELL (London, a member of the Council) said the Council had rather anticipated some of the observations contained in the paper, because, before the vacation, in anticipation of the Solicitors Bill being passed, they appointed a very important and strong committee, which included several provincial members, as well as the President and Vice-President, to consider what course should be taken. That committee would meet immediately after the vacation, and they would be very glad to receive suggestions, especially from solicitors in the provinces.

Mr. OSBORNE said that in Manchester for many years the University had worked in close connection with the Law School, and lectures had been given mainly by solicitors, nominated largely by members of the local Law Society. The great object of the lectures was to devote themselves to the practical work which would come before solicitors in the practice of their profession. He recognised the difficulty for clerks in remote rural districts to attend a school of law for the twelve months that was necessary, and suggested that in those cases he should be required to attend a recognised centre near his home for six months. It would be a mistake if the school in London attempted to compete with the schools in the provinces, provided the latter were able to give suitable education.

Mr. INGLEDEW (Cardiff, a member of the Council) urged that the local societies should reply promptly to the circular which had been sent out by the Law Society. This would materially lighten the labours of the committee of which Mr. Botterell had spoken. The difficulty was to obtain assistance from the provincial Law Societies.

#### CONCEPT OF COURT.

Mr. E. A. BELL (London) read a paper with this title which we hope to deal with later.

#### VOTES OF THANKS.

Votes of thanks were passed to the Leeds and other Law Societies which had entertained the visitors, the University of Leeds, Mrs. Copson Peake, various clubs and golf clubs and others, who had assisted in making the meeting a success, and to the President for his conduct in the chair.

#### FESTIVITIES, &c.

On Wednesday there was a motor excursion to Farnley Hall, Wharfedale, and visits were paid to the factory of Messrs. John Barran & Sons, wholesale clothiers, and to the steel works of Messrs. T. F. Braine & Company. In the evening, seats were provided for those desirous of seeing Mr. Matheson Lang and company in "Blood and Sand," at the Grand Theatre. On Thursday, there were motor excursions to York and to Harrogate, Ripon and Fountain's Abbey. In the evening the President and Mrs. Copson Peake received the members and the ladies accompanying them and the clerical staffs of the solicitors practising in Leeds, at the Municipal Art Gallery. Members were admitted to the privileges of the principal clubs, and as temporary members of a number of golf clubs.

## THE BRITISH LAW

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Gentlemen in a position to introduce business are invited to undertake Agencies within the United Kingdom.

### Solicitors' Benevolent Association.

The annual meeting of the Solicitors' Benevolent Association was held on Wednesday at the Queen's Hotel, Leeds, Sir Norman Hill (Chairman of the Board), presiding.

The directors' report for the year ending 30th June last stated that the Association has now 3,793 members, of whom 1,114 are life and 2,679 annual subscribers; 87 of the life members are also annual subscribers. It had lost during the year 96 subscribers through death and 44 through withdrawals, and had obtained 176 new subscribers. The following legacies had been received: £100 under the will of the late Mr. N. A. E. Way, of Chester, and £105 under the will of the late Mr. Alfred Pointon. The income of the general fund amounted to £7,599 11s. 1d., and from the trust funds £1,520 0s. 1d. The total relief granted during the year amounted to £8,708 17s. 6d., the largest amount yet distributed. This amount was made up as follows:—205 grants from the general fund, amounting to £6,739 17s. 6d., namely: £2,855 to members and families of members, and £3,884 17s. 6d. to non-members and families of non-members; £88 to the three recipients of the "Hollams Annuities"; £30 to the recipient of the "Victoria Jubilee Annuity (1887)"; £39 to the recipient of the "Henry Morten Cotton Annuity"; £30 to the recipient of the "Christopher Annuity"; £60 to the two recipients of the "Humfrys Annuities"; £40 to the recipient of the "Beale Annuity"; and £250 to the recipients of the "Edward Wright Annuities." £240 was paid to Pensioners from the "Victoria Pension Fund"; £208 to Annuitants under the "Kinderley Trust"; and three grants, amounting to £134, were made from the Special Relief Fund connected with the "Kinderley Trust"; £190 to Annuitants from the late Miss Ellen Reardon's bequest; £300 to three recipients of the "Wilton Fund Annuities"; and £360 to six recipients of "Andrew Fund Annuities," the total amount given to members' cases being £4,206 and to non-members £4,502 17s. 6d.

The Chairman, in moving the adoption of the report, made an earnest appeal that the number of members should be increased. He said there were 14,500 solicitors on the roll, and only 3,793 were members of the Association, which was something like 26 per cent.

The report was approved, and the Board of Management re-elected.

### University College, London,

The session 1922-23 will begin at University College on Monday 2nd October. The programme of public lectures arranged for the first term includes:—

Three Rhodes Lectures, two on "A Ministry of Justice," by Lord Haldane, and one on "Martial Law," by Lord Sumner; three lectures on "The Evolution of London," by Miss E. Jeffries Davis; and a series of lectures on Present Day Problems: (1) "Unemployment," by Mr. B. Seebohm Rowntree; (2) "The New Individualism in Education," by Professor John Adams; (3) "International Exchanges," by Dr. T. E. Gregory; (4) "Law and the Humanities," by Professor J. E. G. de Montmorency; and (5) "The Civil Service," by Sir William Beveridge.

The full programme of the lectures, which are open to the public without fee or ticket, may be obtained on application, enclosing stamped addressed envelope to the Secretary, University College, London.

### Incorporated Accountants.

The next Examinations of Candidates for admission into the Society of Incorporated Accountants and Auditors will be held on 13th, 14th, 15th and 16th November, 1922.

Women are eligible under the Society's regulations to qualify as Incorporated Accountants upon the same terms and conditions as are applicable to men.

## Grand Juries.

The following letters on the subject of Grand Juries have appeared recently in *The Times* :—

From Mr. Claud Mullins, The Temple (11th inst.) :—The discussion which followed the return of Grand Juries as part of our criminal judicial system has died down, though the problem is as unsolved as ever. A case has just occurred at the Central Criminal Court which shows strongly the need for change. I was briefed in the case, and while I was wondering how it was possible for such a prosecution to be launched, I read, to my relief, that the Grand Jury had refused to find a true bill. But—and here lies the importance of the case—the accused woman was committed for trial at Marylebone on July 20 and remained in custody till Thursday last, when the Recorder discharged her on the finding of the Grand Jury.

Supporters of the Grand Jury system argue that it protects the subject. It doubtless does here and there, but the protection is very inadequate and belated, as this case shows. I am not here arguing the merits of the system of having a jury to revise the work of authorities who commit for trial. But surely, if the Grand Jury principle is sound, it ought to be invoked at an earlier stage. It has always seemed to me that, if such a revision by a jury is required, it should take place at the time of committal rather than just before the trial. Even had bail been allowed in this case—and it is difficult to see why it was not—it is all wrong that for seven weeks the charge hung over the head of this woman. The Grand Jury has, it is true, saved this woman the ordeal of trial, but only on the day when the trial would have taken place. No Grand Jury can save an innocent accused from the worry of suspense or from imprisonment if bail is refused. I have always thought this to be a weakness. Is not this case an unhappy illustration of a very real defect in the Grand Jury system?

From Mr. Emile Nathan, Berners Hotel, W.1 :—In the Union of South Africa, where I have been in practice at Johannesburg for many years, we have no such system as the interposition of a Grand Jury, though one could easily conceive that in certain instances, e.g., such as political offences, a Grand Jury might prevent persecution. With us a preliminary or preparatory examination is held in serious cases. The record is sent to the Attorney-General, who is non-political, and if he is satisfied that a *prima facie* case has been disclosed, he indicts and has the accused arraigned before a Superior Court presided over by a Judge with unlimited jurisdiction in most cases, or he may remit the case to a magistrate for summary disposal under ordinary or increased jurisdiction.

## Workmen's Compensation for India.

*The Times* correspondent, in a message from Simla of 13th September, says :—To-day in the Assembly Mr. Innes introduced the Workmen's Compensation Bill, which was referred to a joint committee of the Legislature. In a lucid and interesting speech Mr. Innes showed that, although some maintained that the root idea of the Bill was, as a product of the West, still unsuitable to Indian conditions, it was as far back as 1888 that the Bombay millhands demanded the enactment of such a measure. Since 1920, as an outcome of Sir George Barnes's promise to the railway strikers in Lahore, the Government of India had been collecting material for the present proposals. All provinces except Burma, and, to a limited extent,

Bombay, were in favour of the Bill. Mr. Innes paid a striking tribute to the employers in India who had enthusiastically supported the principle of the Bill. Their support showed that they took an intelligent interest in the progress of labour.

The chief feature of the measure is the provision for lump sum settlements and its sedulous attempt to avoid litigation in a country so prone to litigation as India. In the latter respect it has taken its pattern from the practice in the United States, but on the whole the Bill follows the lines of the Employers' Liability and Workmen's Compensation Acts in England.

## Companies.

### London County, Westminster & Parr's Bank, Ltd.

Holders of Victorian Government Four per cent. Inscribed Stock and Debentures maturing 1st October, 1922, are reminded that the offer of conversion into Victorian Government Five per cent. Inscribed Stock will be closed on Saturday, the 30th September, 1922.

## Legal News.

### Appointment.

The Lord Chancellor has appointed Mr. ALFRED BAKER a Justice of the Peace for Middlesex. Mr. Baker (who is a member of the firm of Kenneth Brown, Baker, Baker, of Lennox House, Norfolk-street, Strand, W.C.2) was admitted in 1899.

### General.

Mr. Edward Maitland, of Knight-riding-street, Doctors'-common, E.C., and of Summersfield-road, Hendon, N.W., solicitor, left estate of gross value of £14,068.

Mr. John Gibson Wood, of Beacon Croft, Blackwell, Worcester, and of Temple-row, Birmingham, solicitor, who died on 22nd April, at Llandudno, left £14,894 gross, and £11,292 net. He gives £25 each to his clerks, James Thomas Shinton and Alfred Deava, if in the service of his firm at his death.

*The Times* in a reprint from its issue of 25th September, 1822, says: On Saturday evening there were no less than thirty-four capital convicts in the condemned cells of Newgate, all of whom have been convicted in the present sessions; and there remained upwards of 230 prisoners for trial; nor have the Grand Jury for Middlesex yet terminated their labours.

**VALUATIONS FOR INSURANCE**—It is very essential that all Policy Holders should have a detailed valuation of their effects. Property is generally very inadequately insured, and in case of loss insurers suffer accordingly. **DEBENHAM STORR & SONS (LIMITED)**, 26, King Street, Covent Garden, W.C.2, the well-known chattel valuers and auctioneers (established over 100 years), have a staff of expert Valuers, and will be glad to advise those desiring valuations for any purpose. Jewels, plate, furs, furniture, works of art, bric-à-brac a speciality.—(ADVT.)

## Winding-up Notices.

**JOINT STOCK COMPANIES.**  
LIMITED IN CHANCERY.  
CREDITORS MUST SEND IN THEIR CLAIMS TO THE  
LIQUIDATOR AS NAMED ON OR BEFORE  
THE DATE MENTIONED.

*London Gazette*, FRIDAY, September 22.  
BLAIR'S LTD. Oct. 14. Richard Ecroyd Clark, 17, Albion-st., Hanley.  
S. T. HOGARTH & CO. LTD. October 9. G. W. Bacon, Liquidator.  
F. W. MARSHALL & CO. LTD. Oct. 24. Harold G. Ash, 6, Broad Street-place, E.C.

*London Gazette*,—TUESDAY, September 26.  
ALL FREIGHTS TRANSPORT CO. LTD. Oct. 23. Louis Nicholas, 19, Castle-st., Liverpool.  
THOMAS SLAUGHTER LTD. Nov. 18. Robert Carpenter, Midland Bank Chambers, North-st., Brighton.  
THE TEMPERANCE CATERING CO. LTD. Nov. 10. Charles Leonard, 40, Charlwood-st., Westminster, S.W.  
PETERSFIELD ELECTRIC THEATRE AND PUBLIC HALL LTD. Oct. 24. William H. Robins, 33, Lavant-st., Petersfield, Hants.  
FAKENHAM CATTLE MARKET CO. LTD. Oct. 31. Wilby J. Smith and Alan H. Smith, Fakenham, Norfolk.

## Resolutions for Winding-up Voluntarily.

*London Gazette*, FRIDAY, September 22.  
British Accessories Ltd. Thomas Slaughter Ltd.  
The Earl Shilton Working Sevenoaks Engineering Co. Ltd.  
Men's Club & Institute Co. Ltd. The Conway Valley Motor Co. Ltd.  
Distillates Ltd. Co. Ltd.  
James Lavender Ltd. Leonard Horner & Sons Ltd.  
The Buffalo Motor Omnibus Co. Ltd. Lock-Nuts Ltd.

*London Gazette*,—TUESDAY, September 26.  
The Warehouse Electric Supply Co. Ltd. Mellor & Fink Ltd.  
John Brotherton Ltd. B. D. Dungworth & Co. Ltd.  
Northern Counties Transport Co. Ltd. Langley Stores Ltd.  
Ralph Bourne Ltd. R. Whitaker Brothers & Co. Ltd.  
The Amazon River Syndicate Ltd. Perfect Mantle Co. Ltd.  
Hilditch & Sykes Ltd. Watford Manufacturing Co. Ltd.  
Martin Wrigley Ltd. Outfitters Ltd.  
Hull Steam Navigation Co. Ltd. Galashiels Manufacturing Co. Ltd.  
Ltd. Madame Rie Ltd.

## Bankruptcy Notices.

### RECEIVING ORDERS.

*London Gazette*,—FRIDAY, September 22.  
ALEXANDER, JOSEPH, Roath, Carpenter. Cardiff. Pet. Sept. 18. Ord. Sept. 18.  
ANDREWS, HAROLD E., Great Grimshy, Surgeon. Great Grimshy. Pet. June 14. Ord. Sept. 19.  
BARRY, WILLIAM P., Neath, Boot and Woollen Goods Dealer. Neath. Pet. Sept. 19. Ord. Sept. 19.  
BAYNTON, WALTER A., Bethnal Green, Box and Packing Case Maker. High Court. Pet. Sept. 20. Ord. Sept. 20.  
BEDFORD, MARY E., Scarborough, Lodging-house Keeper. Scarborough. Pet. Sept. 20. Ord. Sept. 20.  
BERRY, FRANCIS S., and NEALE, ALBERT E., Ipswich, Electro-Platers. Ipswich. Pet. Sept. 19. Ord. Sept. 19.  
BRADLEY, RICHARD, Inglewhite, nr. Preston, Farmer. Preston. Pet. Sept. 2. Ord. Sept. 19.  
BROOKS, SARAH, Bolton, Retail Draper. Bolton. Pet. Sept. 15. Ord. Sept. 15.  
BROUGHTON, WALTER, Sheffield, Fish and Fruit Dealer. Sheffield. Pet. Aug. 30. Ord. Sept. 19.  
CAMPBELL-EVERDEN, WILLIAM F., Sydenham, Accountant. High Court. Pet. June 21. Ord. Sept. 18.

COTTRILL, ARTHUR E., Birmingham, Coal Merchant. Birmingham. Pet. Sept. 20. Ord. Sept. 20.  
COX, FLORENCE M., Bradford, Costumier and Milliner. Bradford. Pet. Sept. 20. Ord. Sept. 20.  
CIRAGH, JOSIAH L., St. Leonards-on-Sea, Motor Engineer. Hastings. Pet. Sept. 18. Ord. Sept. 18.  
EANS, BENJAMIN C., Chesdale, Staffs. Hanley. Pet. Sept. 1. Ord. Sept. 18.  
FAWCETT, HAROLD, Thornaby-on-Tees, Grocer. Stockton-on-Tees. Pet. Sept. 18. Ord. Sept. 18.  
FERGUSON, FREDERICK P., Winslow, Bucks, Fishmonger. Banbury. Pet. Sept. 18. Ord. Sept. 18.  
FREEMAN, MAX B., High Holborn. High Court. Pet. July 24. Ord. Sept. 18.  
GRAY, FREDERICK, Pinchbeck, Lincoln, Publican. Peterborough. Pet. Sept. 18. Ord. Sept. 18.  
GRAY, GEORGE, Farnham, Surrey, Builder. Guildford. Pet. Aug. 3. Ord. Sept. 19.  
GRIFFITHS, DANIEL, Machen, Mon., Tailor. Newport (Mon.). Pet. Sept. 18. Ord. Sept. 18.  
HACKING, ARCHIBALD, Blackburn, Contractor. Blackburn. Pet. Sept. 7. Ord. Sept. 20.  
HARRIES, OLIVER H., Pontypidd, Rubber Merchant. Pontypidd. Pet. Sept. 2. Ord. Sept. 19.  
HARRIS, EVAN, Swansea, Greengrocer. Swansea. Pet. Sept. 18. Ord. Sept. 18.  
HAYNE, PAUL, Aldersgate-st., E.C., Manufacturing Furrier. High Court. Pet. Aug. 21. Ord. Sept. 20.  
HESLTON, WILLIAM A., Nuneaton, Dentist. Coventry. Pet. Sept. 20. Ord. Sept. 20.  
HOPILEY, SAMUEL, Manchester, Butcher. Manchester. Pet. Sept. 1. Ord. Sept. 18.  
HUMPHRESON, JOSEPH A., Shore Heath, Staffs, and DUFFIELD, THOMAS, Stampers and Piercers. Wolverhampton. Pet. Sept. 19. Ord. Sept. 19.  
JOHNSON, ETHEL M., Piccadilly, Costumier. High Court. Pet. Aug. 21. Ord. Sept. 20.  
LANE, FREDERICK W., Sowerby, nr. Thirk, Grocer. North-allerton. Pet. Sept. 18. Ord. Sept. 18.  
LUFFON, ELEANOR F., Bolton, Retail Confectioner. Bolton. Pet. Sept. 20. Ord. Sept. 20.

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